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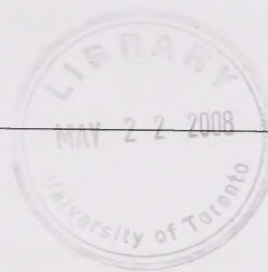
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**Legislative Assembly  
of Ontario**

First Session, 39<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 39<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 14 May 2008**

**Mercredi 14 mai 2008**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 14 May 2008

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 14 mai 2008

*The House met at 0900.  
Prayers.*

## ORDERS OF THE DAY

ACCESS TO ADOPTION RECORDS ACT  
(VITAL STATISTICS STATUTE LAW  
AMENDMENT), 2008

LOI DE 2008 SUR L'ACCÈS  
AUX DOSSIERS D'ADOPTION  
(MODIFICATION DE LOIS  
EN CE QUI CONCERNE  
LES STATISTIQUES DE L'ÉTAT CIVIL)

Mrs. Meilleur moved third reading of the following bill:

Bill 12, An Act to amend the Vital Statistics Act in relation to adoption information and to make consequential amendments to the Child and Family Services Act / Projet de loi 12, Loi modifiant la Loi sur les statistiques de l'état civil en ce qui a trait aux renseignements sur les adoptions et apportant des modifications corrélatives à la Loi sur les services à l'enfance et à la famille.

**The Speaker (Hon. Steve Peters):** Pursuant to the order of the House dated May 12, 2008, I am now required to put the question.

Madam Meilleur has moved third reading of Bill 12. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

Pursuant to the standing orders, the vote is deferred to routine proceedings this afternoon.

*Third reading vote deferred.*

SMOKE-FREE ONTARIO  
AMENDMENT ACT, 2008

LOI DE 2008 MODIFIANT LA LOI  
FAVORISANT UN ONTARIO SANS FUMÉE

Resuming the debate adjourned on May 13, 2008, on the motion for second reading of Bill 69, An Act to protect children from second-hand tobacco smoke in motor vehicles by amending the Smoke-Free Ontario Act / Projet de loi 69, Loi modifiant la Loi favorisant un Ontario

sans fumée pour protéger les enfants contre le tabagisme passif dans les véhicules automobiles.

**Mr. Peter Kormos:** On a point of order, Mr. Speaker: Perhaps we could recess for five minutes to give government members a chance to arrive in the chamber.

**The Speaker (Hon. Steve Peters):** That is not a point of order.

**Mr. John O'Toole:** Could we have a quorum call, please?

**The Speaker (Hon. Steve Peters):** Madam Clerk, is there a quorum present?

**The Deputy Clerk (Mr. Todd Decker):** There is a quorum present, Speaker.

**The Speaker (Hon. Steve Peters):** Thank you.  
Further debate?

**M<sup>me</sup> France Gélinas:** I am delighted to be talking about Bill 69, the Smoke-Free Ontario Amendment Act. It is An Act to protect children from second-hand tobacco smoke in motor vehicles by amending the Smoke-Free Ontario Act.

There are two parts to this bill. The first is that we want to protect children. I think this is something that everybody in this House has always and will always agree upon: Everybody wants to protect our children. The issue of rights, that is, the right of a child to health and clean air, should supersede an adult's right to his addiction. I think this is something that many members who have spoken before me said they agreed with. It's like apple pie and, where I come from, maple syrup: Everybody likes it; everybody agrees to it. We are trying to protect children from the health hazards of second-hand smoke. This is something good and this is something that should go forward.

The second part of the bill has to do with smokers. We all agree that smoking is an addiction, that a lot of people are smokers and a lot of people smoke in their cars. If we want to change human behaviour, if we want to change the habit of a smoker who gets in his car, a place where he or she is allowed to smoke, and lights up, we have to do more than just pass laws; we have to do health promotion. Within the residents of Ontario, there are groups that are more at risk of being a smoker and more at risk of lighting up in their cars when their children are present. When we talk about populations at risk, I talk about aboriginals, First Nations, low-income, people with mental illness and homeless people. Those are hard-to-reach groups within our community who need our help in order to be able to quit smoking and in order to be able to comply with this bill.



I have talked, in the past, about the special relationship that exists between the First Nations and tobacco, but I think it's worth repeating. For First Nations, tobacco is part of the four sacred elements, the first one being cedar. First Nations use cedar to try to keep sickness away; they use tobacco to give thanks to Mother Earth and for their lives; they use sage to chase away negativity and help bring back healing if they have fallen sick; and they use sweet grass to bring their minds as one, looking into mental health. When they do smudging, they will use all of those four elements. I always talk about, whenever we talk about smoking and First Nations, that we have to realize that they have a different relationship to tobacco than non-First Nations do. If we want to help First Nations comply with this bill, we have to be cognizant of that cultural difference, and we have to help them.

I agree that some of what Ontario smoking prevention has done has had some success. The rates of Ontarians who smoke has decreased over the years, and this is a good thing. Unfortunately, it has not decreased for every group in our community equally. Unfortunately, as I mentioned, First Nations, aboriginal people, still have a higher smoking rate. Francophones in Ontario have a high smoking rate. The programs presently in place to help them quit smoking don't seem to be as effective. There are also other groups, such as homeless and low-income people, who continue to have higher smoking rates than the rest of the population in Ontario. If we are serious that we want to protect children from second-hand smoke, then not only do we have to create smoke-free areas—we also have to help people stop smoking.

0910

Il me fait plaisir ce matin de vous parler du projet de loi 69, Loi modifiant la Loi favorisant un Ontario sans fumée pour protéger les enfants contre le tabagisme passif dans les véhicules automobiles.

On pourrait dire que ce projet de loi a vraiment deux parties. Dans la première partie, on essaie de protéger les enfants. Je pense à la protection des enfants, et tous les membres, tous les députés, de tous les partis sont d'accord avec ça. C'est quelque chose que tout le monde va appuyer. Protéger les enfants, c'est quelque chose qu'on prend pour acquis. Tous les adultes ont un devoir de protéger les enfants. Les protéger de la fumée secondaire est quelque chose d'important.

La deuxième partie de ce projet de loi est de vraiment regarder quelles sont les populations, à même la population de l'Ontario, ou les projets et les programmes pour encourager les gens à arrêter de fumer. Quels sont ceux qui ont eu du succès et quels sont ceux qui ont eu moins de succès? Certainement, au cours des années, on a vu une diminution du nombre de gens qui fument en Ontario, et ça c'est quelque chose de bien. Mais quand on regarde les statistiques un peu plus précisément, on se rend compte que c'est n'est pas tous les groupes qui ont eu le même succès. Si on pense aux Premières Nations, les Premières Nations fument encore beaucoup plus que le restant des gens en Ontario. Si on pense aux francophones de l'Ontario, les Franco-Ontariens fument beau-

coup plus que le restant des Ontariens. Les personnes à revenu bas ainsi que les personnes sans abri ont tendance à fumer plus que le restant des Ontariens. Donc, si on veut avoir du succès avec ce projet de loi-là, il faut non seulement être tous d'accord que l'on veut protéger les enfants de la fumée secondaire, mais il faut également être d'accord qu'il faut des programmes pour aider les groupes à risque à cesser de fumer.

Quand je parle des groupes à risques et que je parle des Premières Nations, je veux toujours faire le lien particulier qui existe entre les Premières Nations et le tabac. Pour les Premières Nations, il existe quatre éléments sacrés. Le premier est le cèdre. Le cèdre est utilisé pour demeurer en santé et pour s'assurer qu'on ne devienne pas malade. Le tabac est utilisé pour remercier la terre, remercier la communauté, remercier pour qui on est et ce qu'on a. Le sage est utilisé pour éloigner les effets négatifs. Si quelqu'un est tombé malade, tu peux utiliser le sage pour regagner la santé et pour chasser la maladie. Et le sweetgrass, on utilise ça pour le côté de la santé mentale, pour se sentir bien et pour se sentir « un ».

J'en parle toujours parce que la relation culturelle qui existe entre les Premières Nations et le tabac est unique et doit être prise en considération si on veut les aider à arrêter de fumer. C'est sûr que l'utilisation du tabac dans les cérémonies sacrées des Premières Nations est quelque chose qui va continuer pour toujours. Mais fumer la cigarette, ça, c'est différent. Le lien entre les deux est fort, le lien entre les deux est culturel et il existe, mais il faut quand même faire attention. Mon collègue vient de me passer un message pour me faire rire et il a bien réussi.

My colleague just sent me a little message there and had me laughing. To answer you, no.

I'm now talking about how to help the people who have higher smoking rates. One of the first things that we as New Democrats want is more community health centres that focus on the populations at risk. When we talk about populations at risk, we're talking about the same populations: people who have more trouble quitting smoking because of a whole array of reasons. We're talking about francophones and the First Nations; those are target groups of many community health centres. In the community health centres, we're giving them the resources. They could certainly help bring forward those communities to help them quit smoking.

Another way to protect children from second-hand smoke is to educate the parents. We have a wonderful program in Ontario, called Best Start, where every single child born in Ontario will be seen by a professional from the health unit in the catchment area. There is an opportunity here to fund programs and resources so that every single parent or guardian of a child who is born in Ontario gets special education on the risks and horrifying effects of second-hand smoke on children. As children are born and as parents get educated, this is one of the best ways to protect children from second-hand smoke, not only in vehicles but everywhere that children live. Although this bill addresses one confined area, a car,



which certainly is harmful to a child, there are lots of other areas this bill does not cover at all.

Un autre élément de ce projet de loi que j'aimerais discuter, face à aider les populations à risque, serait de financer des programmes dans les centres de santé communautaire existants, les centres d'accès aux soins pour les Premières Nations, pour qu'ils aient les ressources nécessaires pour aider les populations à risque à arrêter de fumer. Ce financement servirait à diminuer le nombre de fumeurs en général, ce qui aurait l'effet de diminuer la fumée secondaire chez les enfants.

Un autre programme qui irait dans la même direction serait le programme Meilleur départ. Le programme Meilleur départ est un très bon programme qui existe en Ontario et qui permet à tous les enfants qui sont nés en Ontario, leurs parents ou leurs gardiens de recevoir la visite d'un professionnel du bureau de santé publique. Ce professionnel-là, si on lui donne l'argent pour les programmes nécessaires, peut faire l'éducation envers les méfaits de la fumée secondaire chez les enfants, certainement dans les voitures parce que ce sera la loi, mais également partout où ces enfants-là vont vivre et respirer.

On connaît très bien les effets néfastes de la fumée secondaire chez les enfants, et un programme visant les parents et les gardiens des enfants qui naissent en Ontario pourrait les assurer que, à la longue, tous les parents auront reçu l'éducation et que tous les parents comprennent et sont en mesure de prendre des choix éclairés pour leurs enfants.

Another part of the bill that I would like to talk about is the age cut-off. This is something that bothers me tremendously. Right now, the bill sets the cut-off at 16 years of age. Although you need to be 19 to buy tobacco, only children 16 years of age and under are going to be protected. To me, we are missing out on a great opportunity. A lot of kids between the ages of 16 and 19 will be experimenting with tobacco, will start smoking and will become addicted to smoking. At the same time, during that age period most of them learn how to drive through graduated licensing—the G1, the G2 and the G.

There is such strong motivation for kids who want to learn to drive. They are ready to learn; they are ready to do just about anything. We've all been teenagers; we've all been there. Lots of us in this House have teenage sons and daughters, and we know that when they want to learn how to drive and when they want to borrow the car, they're ready to wash the car for you, they're ready to babysit their brothers and sisters, they're ready to come to grandma's and to church, if they get to drive. What a strong motivation. Why don't we extend the cut-off to 19, so that as they are learning how to drive, they are also learning that they cannot smoke in the car, and neither can their friends?

0920

As they are developing the habits of a driver, they won't associate driving with cigarette smoking, which a lot of smokers do. They cannot smoke at work anymore. They cannot smoke in public places. They get in their car and what's the first thing they do? They light up. New

drivers learn the same patterns. What a missed opportunity. If we were to expand this bill to include up to 19, all of those new drivers would not develop this habit.

In health promotion, we talk about pre-contemplation, contemplation, decision-making and action. Those are the steps that motivate people to make changes, to take healthier habits in their lives. We have a golden opportunity here to help young people between the ages of 16 and 19 to not pick up the habit of smoking in their cars. It wouldn't be hard to make an amendment to this bill to make it 19 years old rather than 16.

A lot of other jurisdictions that have put in place similar bills have done the same thing. I have done some research on that and found that in places like Nova Scotia, they already have a bill that does this—in the town of Wolfville, Nova Scotia, to be more precise. In Arkansas, we can see that a similar bill has been put in place, but the age limit is higher. It has been done elsewhere. It is a good way to do health promotion. It is an opportunity that we should not let pass by.

Une autre partie de ce projet de loi qui me porte un petit peu de confusion est la raison pour laquelle on a fixé l'âge limite à 16 ans.

En Ontario, il faut avoir 19 ans pour acheter des produits de tabac, mais, pour une raison qui m'échappe, on a décidé que la loi ne s'appliquerait qu'à ceux qui ont 16 ans ou moins. Pour moi, c'est une opportunité manquée. Si vous pensez aux fumeurs et aux fumeuses en Ontario, ils n'ont pas le droit de fumer au travail et ils n'ont pas le droit de fumer dans les endroits publics. La minute qu'ils rentrent dans leur véhicule, la première chose qu'ils font, c'est d'allumer une cigarette. Ils ont maintenant connecté les deux.

Tous les adolescents entre l'âge de 16 ans et 19 ans qui apprennent à conduire sont dans une période où ils sont prêts à faire des choix parce qu'ils veulent avoir un permis de conduire. On a tous été adolescents, et on se souvient de la motivation qu'on avait à avoir un permis de conduire et à pouvoir conduire. On a des adolescents, la plupart d'entre nous, qui ont vécu le même processus d'avoir leur G2, leur G1 et puis leur permis de conduire. Quand un adolescent veut son permis de conduire, il est prêt à faire beaucoup de sacrifices. Il est prêt à laver la voiture pour avoir le droit de la conduire. Il est prêt à peut-être garder son frère et sa sœur si ça veut dire qu'il va avoir le droit de conduire. Il est prêt à aller à la messe si ça veut dire que c'est lui, ou elle, qui va conduire, puis il est même prêt d'aller visiter grand-papa et grand-maman si c'est lui ou elle qui va conduire. C'est une opportunité en or. Quand tu penses aux éléments à succès d'une campagne de promotion de la santé, tous les éléments à succès sont là : ils sont motivés, ils veulent apprendre et ils vont développer de bonnes habitudes.

Pour le fumeur qui a déjà associé, « Je rentre dans mon auto; j'allume ma cigarette », ça va être très, très, difficile de désassocier ces deux idées. Pourquoi ne s'assure-t-on pas que les jeunes de 16 ans à 19 ans, quand ils apprennent à conduire, apprennent en associant, « On ne fume pas dans l'auto »? C'est aussi simple que ça. On



change le projet de loi. Plutôt que faire à ce que ça s'applique aux enfants jusqu'à 16 ans, ça s'appliquerait aux adolescents de moins de 19 ans—la même chose que pour l'achat des produits de tabac.

J'avais fait un peu de recherche là-dessus—en fait, c'est mon collègue M. Peter Kormos qui a fait la recherche—qui démontre que dans plusieurs autres juridictions ça se passe comme ça. À la Nouvelle-Écosse, plus précisément dans la petite ville de Wolfville, ils ont passé un projet de loi similaire, et la limite d'âge est à 19 ans. Aux États-Unis, plusieurs États ont passé des projets de loi semblables : on parle de la Californie; en Arkansas, on voit qu'ils ont passé un projet de loi semblable où l'âge limite est plus élevé, ce qui a l'effet non seulement de protéger les enfants de la fumée secondaire, mais on continue de les protéger jusqu'à 19 ans et on les empêche d'associer, « Je rentre dans l'auto » avec « Je m'allume une cigarette ». Cela a un pouvoir extraordinaire pour empêcher les adolescents de commencer à fumer, de diminuer leur taux de tabagisme s'ils ont déjà commencé et de les empêcher d'associer les deux. En ce moment, c'est une association qui, pour ceux qui travaillent en promotion de la santé, est très, très difficile à désengager.

Donc, en général nous, les néo-démocrates, sommes en faveur du projet de loi 69, Loi modifiant la Loi favorisant un Ontario sans fumée pour protéger les enfants contre le tabagisme passif dans les véhicules automobiles. Mais on pourrait suggérer des amendements pour rendre le projet de loi un pas encore plus loin. Protégeons également les adolescents jusqu'à l'âge de 19 ans. On est d'accord que le projet de loi a reçu l'appui d'une douzaine d'organismes, qu'on parle de l'association des médecins de l'Ontario, de l'Association des infirmières et des infirmiers autorisés de l'Ontario, de l'Association canadienne de santé publique, de l'Association pulmonaire, de la Société canadienne du cancer et des centres pour les dépendances et de la santé mentale.

Je crois qu'on est tous d'accord qu'il y a une bonne base d'appui pour le projet de loi. On a une opportunité de rendre le projet un peu meilleur, de lui faire faire un pas de plus pour contrôler le tabagisme en Ontario. Ne laissons pas passer des opportunités comme ça. Elles ne se présentent pas souvent.

The New Democrats support the spirit of Bill 69, An Act to protect children from second-hand tobacco smoke in motor vehicles by amending the Smoke-Free Ontario Act. This is a bill that is going in the right direction, and a bill we would support.

We have an opportunity, when this bill goes to committee, to make a few changes. One of the big opportunities is to change the age limit from 16 to 19 years old. This is a golden opportunity for anybody who works in health promotion to do more with the same bill by simply changing the cut-off from 16 to 19 years old.

We recognize that there is a lot of support out there for this bill. Whether it is the Ontario Medical Association, the Registered Nurses' Association of Ontario, the Ontario Public Health Association, the lung association, the Canadian Cancer Society, the Centre for Addiction

and Mental Health, public health units or non-smokers' rights associations, the list goes on. There is a groundswell of support for this idea, and we, as New Democrats, also lend our support. It is a good idea, but we could take it a bit further and make it a bit better.

The other part that troubles me, and where we would like to see changes, is the enforcement. To give somebody a \$250 ticket does absolutely nothing to help that person change their habits. Health promoters all over Ontario will tell you that giving somebody a ticket because they have been caught smoking in a car will do nothing to help them change their habits. We have to do better.

Other jurisdictions have created ways to turn this disrespect of the law into a health promotion opportunity. Some of the opportunities that exist out there are: If you are caught smoking in a car with a child under 19—I take for granted that we'll accept my first amendment—then you would have the opportunity to join a smoking cessation group and participate in activities that will help you quit smoking. This is turning a fine—all a fine does is punish you; it does not help you change a habit such as smoking—into something positive, where you will actually help people make sound decisions for their health by offering them, “You won't have to pay the fine if you can show the court”—or whoever the authority is—“that you have enrolled in a smoking-cessation program and followed steps to help quit smoking.” To the New Democrats, that would be a way to turn this law into a health promotion vehicle.

#### 0930

Une autre partie du projet de loi qui nous dérange, comme nouveaux-démocrates, c'est que se faire punir parce qu'on n'a pas respecté la loi n'aide en aucune façon les gens à arrêter de fumer. Te faire dire que tu dois payer 250 \$ parce qu'on t'a arrêté et que tu fumais dans ta voiture avec des gens, je vais dire de moins de 19 ans, parce que je prends pour acquis que mon premier amendement a été accepté, n'est pas un motivateur pour arrêter de fumer et n'est pas un motivateur pour changer tes habitudes envers le tabac.

Il y a d'autres juridictions qui ont des projets de loi très semblables à ce que l'Ontario s'appête à mettre en place, mais qui prennent un focus sur la promotion de la santé. Donc, qu'est-ce que tu peux faire? Si la personne a fumé, avec un enfant ou un adolescent de moins de 19 ans dans sa voiture, tu peux lui offrir de se joindre à un programme pour cesser de fumer, et démontrer à la cour ou à l'instance qui a juridiction que, oui, il a fait les pas nécessaires pour essayer d'arrêter de fumer. Donc, plutôt que de devenir punitif, que tu viens de te faire punir et tu devras payer 250 \$, on prend le projet de loi et on lui ajoute une composante de promotion de la santé où l'on offre aux gens de se joindre à un programme pour arrêter de fumer.

Pour nous, les néo-démocrates, c'est d'amener le projet de loi un pas encore plus loin, envers le but qu'on est en train de se donner, de protéger les enfants et d'aider les gens à arrêter de fumer.

Comme je vois que le temps passe, je vais conclure.



I see that I've taken up longer than I thought I would, so I will conclude. The New Democrats will support this bill. We are looking forward to this bill going to committee, and we hope that you will be amenable to a few minor changes that could have a tremendous impact on making this bill an instrument of health promotion.

The first amendment would be with the age cut-off, raising it from 16 to 19. The second one would be to bring alternatives to the \$250 fine. Rather than having a \$250 fine, let's put alternatives: that people could join smoking-cessation plans, and take steps to stopping smoking. Rather than punishing them with a fine, we would encourage them to change their behaviour.

We're looking forward to this bill going to committee, and we're hoping that you will be amenable to a few amendments.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Ms. Laurel C. Broten:** I'm pleased to join in and comment on the debate on Bill 69. I want to first congratulate my colleague David Oraziotti for bringing forward this critically important issue and Minister Best for taking up the charge on a bill that builds upon the important work done in our first mandate with respect to bringing forward the Smoke-Free Ontario Act and bringing forward a motivation for change: to change behaviour, to change Ontarians' behaviour so that they can better protect their health.

The Smoke-Free Ontario Act is now going to be amended for yet another area. You're driving along the street and see someone in an automobile with their children, and you know how you, as an adult, feel when you jump into a taxicab or something like that and that vehicle is filled with smoke. Personally, I'll get right out of it, because I don't want to be in that atmosphere. But a young child who knows no different needs to be protected by their parents. This bill makes it clear that it is a decision that we are all going to work on together to ensure that those children are protected.

When we talk about changing behaviour, I think it's so important to talk about carrots and sticks, and information and knowledge that we need to impart to people. I know it is of critical importance that there is stick in this bill—that someone is punished, receives a fine if in fact they break the law. This bill also, though, starts to educate people about what happens to a small set of lungs in a child when they are closed into that vehicle and how much of those toxic chemicals they are breathing in. I think there is another important component, when it comes to those older children, older drivers—peer pressure.

I very much look forward to seeing this bill become law and I stand very much in support of the excellent work being moved forward by Bill 69.

**Mr. Ted Arnott:** I'm pleased to rise and compliment the member for Nickel Belt for her fine presentation this morning in this House, and certainly indicate my interest in this bill, Bill 69, An Act to protect children from second-hand tobacco smoke in motor vehicles by amending the Smoke-Free Ontario Act.

I'm aware that this government bill was brought forward in this House on April 30 in response to the expressions of concern by the Ontario Medical Association as well as the expressions of interest from our member from Kitchener-Waterloo, who brought forward a private member's resolution with respect to this issue, I believe just before Christmas, which called upon the government to undertake an education campaign of some sort to ensure that people were aware of the dangers—if they weren't already—of smoking in their vehicle while they have children in the back seat.

My wife and I are privileged to be parents of three young boys. They're growing up fast now; they're almost 13, almost 11 and nine years old. We're obviously very well aware of the need at all times to protect our children from any kind of danger. We're not smokers, but I have in the past witnessed parents smoking in cars while they've got young children—hopefully in car seats, at least—in their vehicles. Obviously, those parents are just not aware of the risk that they're putting their children in, in terms of inhaling the second-hand smoke.

For all the years that I've been privileged to serve in the Legislature, I've always made it a point to support anti-tobacco legislation as it's been brought forward. I believe that it is the role of government from time to time to bring forward new legislation to discourage tobacco use and to ensure that especially young people are discouraged, knowledgeable and warned of the dangers. I see this bill as one of a long list of government bills that have been brought forward through the years by all governments, including the New Democrats when they were in office in the years 1990-1995, and I will be supporting this legislation as well.

Once again, I want to compliment the member for Nickel Belt for her presentation here this morning.

**Ms. Cheri DiNovo:** It's a pleasure to rise and also to compliment my colleague from Nickel Belt, who delivered a lengthy and very well-researched piece on smoking in cars, both in French and in English. We're very proud of her in the New Democratic Party caucus.

I want to pick up on something she said. She spoke about the inefficiency of fining someone who has an addiction issue—and let's face it, nicotine is an addiction issue. People who smoke in cars with children are doing it because they're addicts. They're doing it because they feel that they don't have any choice. One can only imagine the stress that goes into lives where you would put your own child at risk. We see this in a whole range of addictions. We know that the health response to addictions is not one of fines, it's one of treatment.

I certainly support her amendment—and it's a friendly amendment to this motion. She has already said and we in the New Democratic Party caucus have said that we are going to support this bill. We think it's an inch forward—we'd like to say it's a mile forward. It's certainly a step forward, and as such we will support it.

**0940**

But there are amendments that need to be added to this bill to strengthen it, to address the issue of addiction—in



this case addiction to nicotine, of course one of the most dangerous addictions that are out there, partly because it's legal and accessible. Again, we're looking at that amendment and we're also expressing concerns about the enforcement—period.

We know that our police are overworked, that they're under-resourced. We know, because I've spoken to my two divisions on this bill and they kind of threw up their hands and said, "We can't even enforce the laws we already have, never mind adding more laws to our already insane workload." We'd like to see those police officers, those community officers that were promised, delivered, certainly in the 11th and 14th. It gives me an opportunity to say thank you to those police associations and precincts in my riding.

**Mr. Kuldip Kular:** I'm pleased to participate in the debate on Bill 69. I want to congratulate the Minister of Health Promotion for bringing this bill forward. As a physician, I know that tobacco use is one of the leading causes of preventable diseases and deaths in Ontario.

Smoking, whether it's direct smoking or second-hand smoke, can lead to lung cancer. Lung cancer causes about 13,000 deaths in Ontario. It costs about \$1.4 billion in direct health care costs in this province. There's about \$4.4 billion in fiscal losses because of productivity losses. I understand that smoking not only causes lung cancer, it can also contribute to other types of cancers, for example, pancreatic cancer, esophageal cancer, bladder cancer, kidney cancer, or some other types of cancer. At this time, medical people don't know what other cancers can be caused by smoking.

As a physician, I support this; as a legislator of this House, I support this bill. The Ontario Medical Association supports this bill; the Ontario Lung Association supports this bill. I think this bill, if passed, is a step forward. It's a step in the right direction. I would urge all members, from any party, to support this bill. I definitely support this bill.

**The Deputy Speaker (Mr. Bruce Crozier):** Member for Nickel Belt, you have two minutes to respond.

**M<sup>re</sup> France Gélinas:** I'd like to start by thanking the members for Etobicoke–Lakeshore, Wellington–Halton Hills, my colleague from Parkdale–High Park and the MPP for Bramalea–Gore–Malton for their comments.

I think we all agree that children are particularly vulnerable to second-hand smoke. They have smaller lungs and a higher respiration rate. Second-hand smoke contributes to respiratory infections, sudden infant death syndrome, ear infections, asthma and, later, cancer, as a member just mentioned.

Second-hand smoke is 23 times more toxic than smoke in the home. Even with all four windows open, the concentration is still not acceptable. Also, second-hand smoke is absorbed into car furnishings and later let off as gases. We know that stale smoke is even more toxic than fresh cigarette smoke.

We also know that, despite public education, many smokers do not perceive exposure to smoke as a health risk. In Ontario right now, only 37% of smokers have

made their vehicles smoke-free. But we also know that there is a groundswell of support. Between 55% and 80% of the population, depending on the community, supports this bill. Smoke-free policies prevent youth from starting smoking and send a strong cultural message that this is not culturally acceptable.

But as I mentioned, there's room for improvement. There's room for improvement in the age cut-off, which should be moved from 16 to 19. There's room for improvement in the way that the bill is enforced, to take it from the punitive to more public awareness and education, with fines as a last resort only.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. David Oraziotti:** I'm very pleased today to be speaking to Bill 69. I want to thank the Premier for moving this bill forward and also Minister Best for introducing the bill. It has been a bit of a long haul, I would say, but we're here today, and not to presuppose what we're going to do in here, but I want to say that this is going to be great news for kids if this bill is passed.

Over a year ago, I began working with a number of key stakeholders, who pretty much everybody has mentioned here today, and I just want to acknowledge their support. Dr. Janice Willett, who has just changed positions—she is the former president of the Ontario Medical Association—actually practises medicine in the riding of Sault Ste. Marie. I want to thank her very much for her support on this bill, as well as Patrick Nelson and the other folks at the OMA. Michael Perley, who is part of the Ontario Campaign for Action on Tobacco, has been an incredible advocate on this issue. Rocco Rossi from the Heart and Stroke Foundation; George Habib, CEO of the Ontario Lung Association; Peter Goodhand, CEO of the Canadian Cancer Society, Ontario division; and a number of other individuals related to health as well as enforcement. Joanne Di Nardo, from the Ontario Tobacco-Free Network and who works at the Ontario Lung Association, has been instrumental in helping to facilitate a working table that we've had moving along for well over a year now, in consultation with all of the key advocates in the health sector. They were certainly very supportive of this legislation moving forward.

I also want to make reference to our enforcement folks. I made a number of calls to organizations representing the police, both union and management, and there was overwhelming support to move in this direction, and that enforcement was not going to be an issue. It's something that officers can look out for, just as they watch for those who are not wearing seat belts. It would be a matter of pulling someone over if they witness this and believe that someone under the age of 16 is in the vehicle, and they could be fined.

I want to extend my congratulations to the Premier and Minister Best, as well as my colleagues who have all been very supportive of this legislation passing. I want to thank them very much for their support, as well as the many organizations that have come forward.

The bill itself is really moving ahead at a great pace, because we're on the leading edge of this. Only one other



province in Canada has passed this legislation. Nova Scotia passed this in December. If we pass this legislation, we're going to be only the second province in Canada to have this type of legislation, so I think we're very much at the forefront of this debate.

There are three US states that have passed it: California, Arkansas, Louisiana. I might add that the fines are substantially less. In Arkansas, the fine is \$25; in Louisiana, it's \$150; in California, it's \$100. So a fine of \$250 I think sends a very clear message that we think this is an important issue and that we take it seriously. Six other US states are proposing this type of legislation.

In Canada, British Columbia has a private member's bill that is attempting to make its way forward as well, and in the Yukon, a private member's bill was introduced to do the same thing: to protect children and youth from second-hand smoke in automobiles, because we know what the research says and we know what the statistics say.

I'm also very pleased to see that the bill will be a primary enforcement mechanism. In the state of California, this type of legislation is only a secondary enforcement mechanism. In other words, an officer needs to see someone operating a vehicle doing something else that they believe is not keeping up with the law to also fine them for using tobacco products in the automobile. If an individual is speeding or has a headlight out or there's some other infraction involved, they can pull them over, but they can't pull them over if they stop beside them at a stop light and see young kids strapped in car seats while adults are using tobacco products in the car. They can't fine them. In Ontario, that would be the case if this legislation is passed.

0950

Support for this, according to statistics, has continued to increase over time. In 1995, only 55% of Ontarians supported this. In 2002, 68% supported this. In 2007, 80% of Ontarians indicated that they support some type of legislation that would protect children and youth from second-hand smoke. When it comes to non-smokers, it's 86%, and when you're talking about smokers, 66% of smokers in Ontario feel that we should have some type of legislation that addresses this issue. Clearly, public opinion on this and research that has been provided by many of the organizations I previously mentioned have been key in bringing to light the very severe and negative effects that individuals and young people experience in an automobile while tobacco products are being used. And I might just reference some of those.

The New England Journal of Medicine, in 1990, indicated that one out of every five instances of lung cancer in non-smokers can be attributed to childhood second-hand smoke exposure. So we know there is a correlation.

A 2004 Ontario Medical Association report indicated that the second-hand smoke inside an automobile, in a very confined space, can be 27 times more intense than in a home where tobacco products are used and, in fact, 60 times more intense than in a home where there are no tobacco products used. The exposure in small spaces in-

creases the risk of respiratory illnesses such as bronchitis and pneumonia in children, increases the number of emergency room visits made by asthmatic children, and also has a negative effect on behaviour and cognition in children.

The Harvard School of Public Health and the American Journal of Preventive Medicine 2006 report indicated that exposure to second-hand smoke for children is more likely to result in respiratory infections, sudden infant death syndrome, ear infections and severe asthma symptoms. Children are also more vulnerable to these diseases because of their smaller airways and greater demand for oxygen and higher respiratory rates, as well as their less mature immune system.

Exposure to second-hand smoke in a car for an hour for a child is the equivalent of a child smoking between 17 and 35 cigarettes. I don't know who would let their child smoke 17 to 35 cigarettes in an hour, but the average child in Ontario spends about 50 minutes a day in an automobile. So if you have children spending 50 minutes a day in an automobile, and you have adults using tobacco products in the car, and it's the equivalent of a child smoking, in an hour, 17 to 35 cigarettes, I think we all know just how intense and how severe the effects are when we are talking about our youngest Ontarians.

This leads to other illnesses, as I've indicated and as the research has indicated, being developed in these children at a much earlier stage in their life, and it leads to their having more frequent visits to our emergency rooms, putting more strain on our health care system. Frankly, these young children really don't have a choice. If mum and dad are going to get in the car and drive 600 miles to a relative's home and they are smokers, you can just imagine the effect on those children.

I have to say that when I introduced the private member's bill back in the fall, with the comments I received at our office—the e-mails, phone calls, letters—and the discussions from coast to coast in this country, from folks in Calgary, Edmonton, Vancouver and Halifax, the interest in this was very significant. I had many people tell me that when they were children their parents smoked in the car and they are very happy to see this moving forward, because they wish there had been a law in place when they were children growing up, because they really struggled, being in the vehicle while people were using tobacco products when they were kids. They have other illnesses now related to that. It's something that I suppose, as we continue to learn more about and get more research on, like many other issues related to health promotion, we'll move forward in the right direction.

I think Ontario is very much at the leading edge of this in terms of Canadian provinces. So I'm very pleased to see that; 80% of Ontarians support this.

I want to take a second and reference the issue around the fines. I heard the member from Nickel Belt say that fines aren't effective and we need education, but then say that the fines aren't high enough. I'm not sure what it's going to be here, but I think the fines are important because obviously education is not getting to everybody



who needs this message, because unfortunately to this day I still see people in my community, and I know other people see them as well, who are using tobacco products and have children in car seats.

With respect to the age, this was the age that I had proposed, and I'm pleased that our government is moving forward in this direction. Unless we're going to get serious with the 13-year-olds and 14-year-olds and 16-year-olds who are standing outside schools using tobacco products, I think we have to be realistic in what we're going to enforce. Are we really going to pull an 18-year-old over who's operating a vehicle by themselves and smoking a cigarette and say, "We're going to fine you for smoking in that vehicle," or pull over a 17-year-old who's operating a vehicle, having a cigarette, and say, "We're going to fine you for using tobacco in that automobile"? Unless we're going to get serious with much younger people in this province who are, we know, using tobacco products, I think we have to be realistic about the age. I think the age is appropriate. I think once individuals have their licence to drive, the legislation will address that. We know that in the province you need to be 19 years old to buy tobacco products, but there's no age limit to use tobacco products in the province.

So I support the legislation as it has been introduced. Again, I want to congratulate Minister Margaret Best for taking the leadership role to do this, and I know she'll do a very capable job of making sure that the bill is passed in this Legislature. As I hear opposition members talk about their support for this legislation, I hope this will be passed in a very timely fashion because I think we know that it has the potential to help save the lives of many children in this province and help reduce the negative health effects that they're exposed to by adults using tobacco products in their automobiles.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Kuldip Kular:** I'll again say at the outset that I support Bill 69, which will ban smoking in cars when children are present.

Second-hand smoke is known to cause respiratory illnesses such as asthma and lung cancer. Even though children in a car do not smoke directly, it's second-hand smoke, so that's why the Minister of Health Promotion has brought Bill 69 forward to ban this.

If Bill 69 is passed as it is, it will definitely make sure that we prevent deaths and disease caused by tobacco use. Tobacco use is known to cause not only asthma and respiratory illnesses, but also lung cancer and other types of cancers like esophageal cancer, bladder cancer and kidney cancer.

Whether it's a direct or indirect type of smoking, it's costing our province \$1.4 billion in direct health care costs. It's also costing our province \$4.4 billion in productivity loss. When people are sick, whether it's asthma or respiratory illnesses, they lose work and the province loses out on productivity.

I think this bill is a step forward, and I fully support it.

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**Mr. Peter Shurman:** I'd like to respond briefly to the comments of my friend from Sault Ste. Marie.

This bill amazes me. On the one hand, yes, your opposition friends will support the bill. It's apple pie and motherhood, and I support apple pie and motherhood. Don't smoke in cars with children: It's nanny-state legislation, like so much on the agenda this year, and it bothers me—

*Interjections.*

**Mr. Peter Shurman:** I'm sorry. It bothers me for a reason. It's like saying you're going to introduce a bill that makes it illegal to be a moron in Ontario because only a moron would smoke in a car with a kid. I never did, even when I was a smoker, 25 years or so ago. Yes, there are morons in the province.

Now, let's go to point two: How do you police it? Well, we'll send the OPP, tearing down the 401, looking for people smoking in cars where they have kids in car seats. Is that going to happen? I don't think so.

We hear about the good work of the Smoke-Free Ontario Act and the Minister of Health Promotion bringing in a bill like this to protect our children and yet, for—what?—two months in this House, I have repeatedly asked questions about cigarettes getting into the hands of children on an illicit basis.

There are studies that have been done by the Ontario Convenience Stores Association that take a look at the butts of cigarettes found in school yards, and what have we got? We've got 40% usage of illicit cigarettes in Aurora and 40% usage in Mississauga, and yet we have legislation here that's going to make it illegal to smoke in a car with a kid because we want to protect our children. Of course we want to protect our children. But can we do something with teeth? Can we potentially put something into play that actually helps our children by shutting down illegal smoke shops that put these cigarettes into their hands, not passing meaningless, moron legislation?

*Interjection.*

**Mr. Ted Arnott:** On a point of order, Mr. Speaker: I distinctly heard the Minister of Transportation, in his interjection, talking about dogs barking. I believe the Speaker has ruled that out of order on more than one occasion. I would ask you to call him to order.

**The Deputy Speaker (Mr. Bruce Crozier):** I think your point is well made. That is a point of order, and I would ask all of us in this House to take heed to it.

The member for Nickel Belt.

**M<sup>me</sup> France Gélinas:** I'd like to make a few comments following the member from Sault Ste. Marie's remarks, and maybe follow up a little bit on the comments from the member from Thornhill.

First, I agree with the member from Thornhill that this is not a bill that will shatter all bills; it's pretty light. We've already agreed that there is a 55% to 80% groundswell of support behind it. So, whether we pass this law or not, people are getting the message that smoking when there are kids in the car is not a good idea. At the end of the day, are we going to change a whole lot



of things? Not that much. But we have a health promotion opportunity here. The law can become a powerful public education tool to raise awareness about the risk. To say right off the bat that we're not going to consider moving it to 19 years old because all of a sudden enforcement becomes the be-all and end-all of this bill—like you said, are we going to stop a 17-year-old because he's smoking? Are we going to stop an 18-year-old in a car because he's smoking? No. And we're not going to stop a 35-, 65- or 85-year-old in his car because he's smoking with a kid in the car.

This is not what the spirit of the bill is about. The spirit of the bill is about health promotion. It's about sending a message that, yes, people here in this Legislature are concerned about second-hand smoke for children and want to send a powerful message. None of us believes that law enforcement officers are going to be chasing down cars and handing out fines, whether it be for a 17-year-old or an 18-year-old. I want you to think about that.

**Ms. Helena Jaczek:** I would like to again rise in this House in support of this Bill 69, and congratulate our colleague from Sault Ste. Marie for his great initiative in the previous Parliament in bringing this private member's bill forward.

I certainly feel that a number of the comments of our colleague from Nickel Belt in relation to health promotion are interesting and important comments as they relate to cultural issues, in particular. As I think about this bill—in my riding of Oak Ridges—Markham we have so many newer Canadians in the community, specifically the Asian and South Asian communities—certainly, the efforts of the local public health units in their health promotion activities will need to focus very much on those particular communities, which may need some additional explanation as to the importance of this bill, so that they fully understand the health benefits of not smoking in a vehicle, in terms of the risks to their children.

I think it's very important to emphasize the impact that tobacco smoking can have on a young child's lungs—the harm it can do. We have certainly seen asthma rates rising in children, and I have no doubt whatsoever that the habit some parents have of smoking in their cars with their children there has contributed to that. As so many have said, no parent knowingly wishes to put their child at risk. Very often public education and health promotion activities will ensure voluntary compliance.

**The Deputy Speaker (Mr. Bruce Crozier):** Member for Sault Ste. Marie, you have two minutes to respond.

**Mr. David Oraziatti:** I want to thank the members for Bramalea—Gore—Malton, Nickel Belt and Oak Ridges—Markham for their comments.

We know that the public supports this legislation. And how long have we known that smoking is bad for us? Forty years? Your party had an opportunity to pass this. You didn't. So let's not sit here and say this is “meaningless, moron legislation,” to quote the member

from Thornhill—that's what he said. I would expect you're going to be voting against this, with that kind of comment, right? You had an opportunity to pass it; you didn't pass it. I want to congratulate our Premier and our minister for showing the leadership to introduce this bill and ensure that we protect kids in the province of Ontario.

Smoking has cost the lives of 13,000 Ontarians every year, and costs our health care system \$1.7 billion every year. Yet I hear the member from Thornhill say this is “meaningless, moron legislation.” I can't believe the comments from the opposition. Either you're for it or against it. You had an opportunity to introduce it; you didn't do it. Let's get it straight: We are on the side of young people who need their quality of life protected in an environment where adults continue to use tobacco products in automobiles. It's not healthy—we know that; the research has been there for many years—and so we're moving forward with it. We know that an adult exposing a child to second-hand smoke for one hour in an automobile has the effect of that child's using 17 to 35 cigarettes in that hour. The research is there; we're supporting it. I'd like to hear the opposition members stand up and say, “This is good legislation, and we support it,” not, “This is meaningless, moron legislation.” I can't believe it.

I'm very thankful that our Premier and our minister are showing the leadership on this to ensure it's passed.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mrs. Elizabeth Witmer:** I am very pleased, personally, to be able to support this bill. In fact, this particular bill was one I had also prepared. Legislative counsel would know that I was also set to introduce a very similar bill, and the member from Sault Ste. Marie got out there just ahead of me. Anyway, I do support it.

As a former health minister, I put in place many initiatives to do what we could to eliminate smoking and, hopefully, raise the awareness of people in Ontario to the impact of smoking on the health of people. Anyway, I support this bill.

When the member introduced his bill and my bill was not going anywhere, I decided that one way I could help move his bill forward was to introduce a resolution that would support him and also, hopefully, convince his Premier, who initially said he didn't support the member's bill, to recognize that the opposition supported the bill as well. So one week later, on December 13, I introduced a resolution, “That, in the opinion of this House, the government ... should protect the children and youth of this province from the harmful effects of second-hand smoke in automobiles by immediately implementing an effective province-wide campaign to educate parents about the dangers of smoking in vehicles when a person who is less than 16 years of age is present.”

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You know, sometimes I believe there are opportunities for the government member who has a private member's bill to be supported by a member of the opposition. I



hope that I, in the way that I introduced my resolution, made the Premier reconsider his initial reaction, which was simply to indicate that he was not going to go down this—he called it a “slippery slope.” Originally, he didn’t see it as a necessary bill, to protect children from second-hand smoking in cars.

When he continued to object to the bill that had been introduced by the member from Sault Ste. Marie, I wrote him another letter, after the introduction of my resolution on December 13. On January 24, in fact, I had an open letter to the Premier stating:

“Dear Premier McGuinty,

“As we recognize National Non-Smoking Week, I call on your government to take action to immediately implement a new anti-smoking initiative to introduce an effective province-wide campaign to educate parents and others of the dangers of smoking in motor vehicles while children are inside.” I told him that I supported the ban on smoking in vehicles while children are present. I said that I believed it was time for our province to do what had already been done in Nova Scotia last year, when that province became the first in Canada to ban smoking in vehicles with children.

I also indicated at that time that I was disappointed because the health promotion minister had indicated that we weren’t going to do anything about this until the end of the year, and I wanted him to make this a priority for his government. I said that if you wait until the end of the year, which would have been 2008—I reminded him that second-hand smoke in a vehicle is 23 times more toxic than in a house because of that smaller space. I said, “If you’re not going to move forward on introducing the ban that has been proposed, then will you at least institute a province-wide campaign to educate parents and others of the danger of smoking in vehicles while children under the age of 16 are inside?”

I think we can all say, “Well, it makes sense. Why would anybody do that?” The reality is that people do smoke in cars when their children are in those cars, and obviously it’s extremely dangerous to their health. All of the research shows that children and youth are particularly susceptible to the harmful effects of second-hand smoke. I said to the Premier, “Can we afford to gamble with the health of even one child?”—the answer being “no.”

I went on in my letter to say that we’ve known for a long time that smoking is a significant cause of preventable illness, disability and premature death in Canada. In fact, second-hand smoke continues to claim the lives of more than 1,000 Canadians each year—and to think that that is almost totally preventable. This initiative is just one more step in taking action that would prevent the illness, the disability and the premature deaths.

I concluded my remarks to the Premier in my letter of January 24 by saying, “Unless we take a more aggressive and immediate approach to promote healthier lifestyles, our health system will be further consumed by preventable chronic diseases and needless deaths.” Then I asked him to deal with this issue of great importance to our children.

I hope that the introduction of the bill by the member for Sault Ste. Marie, my supportive resolution, my letter, plus, I believe, the flood of letters and e-mails that probably all MPPs received, influenced the Premier in making the decision to move forward with this bill.

I would have to say to you personally, as a former health minister and as a mother, that I appreciate the fact that this initiative has come forward. The reality is, we need to make sure that we protect our children. We already, as you know, have banned smoking in workplaces and in public areas such as bars and restaurants. It seemed that the next step simply was this ban in cars. I don’t know how anybody can object to it. That’s my personal opinion. We all know that our children are totally defenceless. They depend on adults to make responsible decisions on their behalf. This really is the least that we could do.

We know that we have seen widespread support, certainly from those who deal with people who suffer from illnesses, disease and death as a result of smoking. We’ve heard the lung association being supportive, the Ontario Medical Association—our doctors see the consequences every day—Canadian cancer, heart and stroke. The reality is, there’s no evidence to the contrary. We need to move forward and we need to make sure that this happens.

Since the introduction of the ban in Nova Scotia, and now the introduction of a bill by ourselves, of course, we know that British Columbia has also taken the initiative to move forward. We know that New Brunswick and Prince Edward Island are considering a similar ban. So this is an issue—I don’t see it as being partisan. I see us moving forward on behalf of all of the children in the province of Ontario, to give them the protection that they need.

I think, though, at the same time, we also need to continue to educate people about the consequences of smoking. We sometimes assume in this House that it’s common sense. I don’t think it’s necessarily common sense. There are all sorts of things that adults do without always considering the consequences. For example, we know people who drink—mothers, when they’re pregnant. That has an impact, obviously, on some of the children. So we have to alert them to what the dangers of smoking in a car are. In fact, I hope we can take whatever steps are possible to educate all people about the need to refrain from smoking. It’s tough.

**Hon. James J. Bradley:** What a positive voice they have over there.

**Mrs. Elizabeth Witmer:** Thank you very much.

We could go on and on and talk about this bill, but the reality is, I think most of it has been said. It’s common sense. We know there are health consequences. I can remember, when I was Minister of Health, the different initiatives that we did undertake in order to ensure that we could move this agenda forward. It’s an agenda that has been moving forward in all of the provinces in Canada. As I indicated, Ontario is just one of the most recent provinces to move forward, but others are going there too.



I could read you off lists of all of the dangers of smoking, but I think, again, most people know that it is a major cause of heart disease, it is a major cause of strokes, it is a major cause of cancer, vascular system—in fact, smoking-related cardiovascular disease is responsible for more than 6,000 deaths in Ontario each year. That's a significant number of people who are dying because of smoking-related cardiovascular deaths. When you consider that number, it would just make sense that we wouldn't expose our children to smoking, because later on in life this will continue to have an impact on them.

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I support the age under 16. I think that is an appropriate age. I believe that once someone starts to drive in a car—I mean, we assume that they're capable of making the appropriate decisions regarding the operation of that vehicle, so I believe that is important.

There are other states in the United States that have actually banned smoking. I would just share with you that the Yukon, Arkansas, California, Maine, Louisiana, Puerto Rico, South Australia and Tasmania have. We are simply doing what others have already done before us. We weren't the leaders, but nonetheless the government recognized that the public supported this bill.

I think that's the other thing that was most interesting: If you take a look at any of the research that was done, there was actually widespread public support for this particular piece of legislation. I would also just say that if you take a look at preventable deaths, tobacco use is the number one preventable cause of death in Ontario. It kills 13,000 people every year in Ontario. To date, no scientific authority or regulatory health body in the world has established a safe level of exposure to second-hand smoke. We know that second-hand smoke contains 4,000 chemicals, and more than 50 are known or suspected carcinogens. Children are especially vulnerable to second-hand smoke because they have higher respiration rates than adults and their respiratory, immune and nervous systems are still developing. Going back to the poll and the fact that there is public support for protecting these children who are so vulnerable, there was agreement in a 2007 Ipsos Reid poll that 80% of Ontarians agree that children should be protected from second-hand smoke in a vehicle. This is a 25% increase in public support from 1996.

I'd just like to remind the audience that when I was Minister of Health between 1997 and 2001, I did promote an agenda. In fact, we put in place a continuum of what we believed to be health services. It began with health promotion. It then focused on primary care, making sure people had access to a family doctor. It then focused on the hospitals. But then it focused, afterwards, on long-term care and home care. Part of the agenda for wellness and health promotion and disease prevention was to focus and develop a strategy. We worked with partners to make sure that we did everything we could in order to eliminate smoking and encourage people to not start smoking, particularly young people. We also focused on

the need to eat healthy and, of course, on the need for clean air and the need for exercise. These are all parts of a healthy life.

We cannot sustain our health system. We can't afford our health system to continue paying for preventable deaths. If you take a look at the number of people who are dying every year in the province of Ontario because of tobacco—13,000—we need to do everything we possibly can. We need to continue to move forward. I'm glad that the government is continuing to move forward on some of the steps that we put in place regarding disease prevention, health promotion, encouraging people not to smoke and educating them about why it shouldn't happen. Today, this bill is just a logical step forward in that process.

We've already banned, as I said before, smoking in workplaces. In this instance, we're simply focusing our attention on a very vulnerable group of people: children under the age of 16 who don't have their own voice when traveling in a car with a parent, or perhaps with a grandparent, a family friend or someone else who may be carpooling them to some event or to school. We're simply saying that once this bill is passed, those children would no longer have to be exposed to second-hand smoke in cars.

I'm pleased the bill is moving forward. I certainly support it. The sooner the bill is passed, the sooner we can put in place the framework, and the sooner it becomes law, I personally will be grateful. As I say, it's something as a former health minister I strongly support, and I hope we can continue to do more.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**M<sup>me</sup> France Gélinas:** I want to thank and support the member from Kitchener–Waterloo for her comments. We in the New Democratic Party also will be in support of this bill. It is a small step on a long road, but a step in the right direction.

The damage done by second-hand smoke cannot be underestimated. Twenty years ago when I started my career, if you went into any primary school and there was a group of 30 children in front of you, you would talk to the kids and ask, "Do any of you have asthma?" They didn't know what the word meant. Maybe one of their siblings or neighbours had asthma. Now if you walk into any elementary school and there is a group—it doesn't have to be a big group—of 12 to 30, you ask the kids if any of them have asthma and you are guaranteed that at least one out of four will raise their hand. They know what asthma is all about. They have all seen it. They've all seen puffers. They know what they're used for. They know the symptoms and they know what to do.

Things have changed, but not for the better. There shouldn't be an epidemic of asthma among young children in Ontario, but there is. We can't help but link the fact that as children get exposed to second-hand smoke, it just contributes to more respiratory infections, more asthma and, we all know, chances of cancer later in life. This is a small step, but a step that's worthy of our support.



**Mr. John O'Toole:** I am always pleased to respond to the remarks made by our member from Kitchener-Waterloo, Ms. Witmer. She comes at this with a great deal of experience, as well as respect in the health industry. I know when she spoke to caucus very passionately about this issue, it reminded all of us how important the issue is.

I think it's important to recognize the work done by the member from Sault Ste. Marie, in all due respect, as a young person with an athletic background setting a good example in his community. I know he played hockey and things like that. To set that example is very good and important in your riding.

The member from Thornhill, when he took exception to it, was really trying to point to the issue that Minister Best, the Minister of Health Promotion, brought in this bill. I think it was brought in to deflect some issues that were on the agenda, on the horizon, right across the whole economy. I see the Minister of Agriculture is here and the Minister of Public Infrastructure Renewal and other people are in the chamber this morning. It's important to know that there's a lot of downside in the economy right now. I think this was really a way of getting something off the radar screen without actually doing anything that would be controversial.

And yet the Minister of Agriculture knows that they haven't solved the issue of how to get the agricultural industry problem solved for the tobacco growers. How are they going to move them to other commodities? It is an industry. It's a legal product. I don't particularly enjoy it. I'm a reformed smoker so I'd be even harsher. But they have no plan. That's one of the issues that Mrs. Witmer tried to bring out. It's a bit of a smokescreen to the economy.

I do want to be on record as supporting this. As a grandparent with four grandchildren, I would be remiss not to say that we should all be doing the right thing. The issue of enforcement is going to be the right thing, by educating the public to do the right thing and not put our children at risk.

1030

**Mr. David Oraziatti:** It is a pleasure to be able to add some comments to the member for Kitchener-Waterloo, the health critic for the Conservatives. I thank her for her support of this legislation. I know that she has put forward a resolution and I did receive her news release and some of the other commentary, so I want to thank her for that. She has been vocal about her support for this legislation as well.

The member from Thornhill perhaps needs to make sure that he's speaking to his health critic, because there might be some mixed signals over there. I don't want to see people calling this bill meaningless, moronic legislation. I'm not sure if the member from Thornhill took his briefing from Mychoice, backed by Imperial Tobacco, because we know that Mychoice has been very actively pursuing our members and is out there talking about how it's okay to have adults using tobacco products with kids in cars. I was contacted by Mychoice and they don't think there's anything wrong with this.

This is still a serious issue. I still see this in my community. I saw this several weeks ago. I saw it several months ago. Every now and then when you pull up at a stop light, you see an adult using tobacco products, with kids strapped in car seats and the windows cracked the customary inch or two, and there is a haze of smoke in the car. We want to do the right thing, and I know members of the opposition want to do the right thing as well. I hear their comments and I welcome those comments. I think this is a much-needed initiative in this province.

Let's not forget that we're still very much on the leading edge of doing this. There's only one other province in this country that has passed this legislation, about six or seven months ago. No other provinces have passed this. There are only three US states that have passed this and some counties that passed it as well. So it's something that is still not being driven home to people, so to speak. Education can only take us so far, and we do need enforcement on this issue. I want to encourage all members of the House to support this legislation.

**Mr. Ted Arnott:** I'm very pleased to compliment the member for Kitchener-Waterloo on her fine presentation this morning with respect to Bill 69. It's unfortunate that the member for Sault Ste. Marie tried to introduce a tone of partisanship into the questions and comments that followed her speech, because clearly our caucus is quite supportive of this legislation. I remember, immediately after the election—in speaking with the member from Kitchener-Waterloo and, certainly, within our caucus—her advocacy for this issue, indicating her intention to bring forward legislation to discourage adults smoking in cars when kids are in the back seat. Certainly that was her intention, and I was pleased that she followed up with her resolution right before Christmas.

It was, I think, a very good example of where we can work across the aisle in the public interest. When we take that approach, we're serving the public interest, I would argue. The private member's bill being brought forward, introduced by the member for Sault Ste. Marie, was criticized immediately by the Premier. But apparently after he received the polling data that some of his staff people probably showed him, indicating the strong level of support for this legislation, as well as the advocacy by the member for Kitchener-Waterloo, we see ultimately a government bill introduced on April 30—more than six months after the election, I would add.

I think the member for Kitchener-Waterloo has brought an important perspective to the debate. As a Minister of Health, she brought forward a number of very important wellness initiatives, a whole agenda surrounding the issue of wellness and how we could promote wellness, as opposed to just treating illness. I think the work she did in that regard is something that our party is very proud of as we look back at our legacy in government. In her capacity as health critic, she continues to bring forward meaningful initiatives within this Legislature that the Minister of Health should listen to and heed. Again, I would encourage all members of the House to listen to the member from Kitchener-Waterloo



with respect to this issue and all the issues that she brings forward in the House, especially the issues revolving around health care.

**The Deputy Speaker (Mr. Bruce Crozier):** Member for Kitchener–Waterloo, you have two minutes to respond.

**Mrs. Elizabeth Witmer:** I appreciate the words from the member from Nickel Belt, someone who has certainly demonstrated her concern for the health and well-being of people in the province of Ontario; obviously, my colleague from Durham, who indicated that as a grandfather of four and a reformed smoker, he recognizes the need for this type of legislation to protect our children; and the person, of course, who introduced the private member's bill, the member from Sault Ste. Marie.

As I say, I just think it's really interesting that two people from different parts of the province both were prepared at the same time to introduce similar legislation. I'm glad it happened. It is an example of us being able to work together in order to make something possible to improve the quality of life of, in this case, the children of our province. I hope that my support for his bill and my resolution and then, of course, subsequent feedback helped persuade the Premier to take action and move this bill to where it is today.

Of course, I thank my colleague the member from Wellington–Halton Hills very much for his comments. He works very hard on behalf of his constituents. I know he has three children. Each day, he certainly tries to make sure that he improves the quality of life, not only for his own family, but for people in the province of Ontario.

I would just hearken back to what I said before, and that is that as Minister of Health, my focus very much was on the wellness agenda, the need to focus on disease prevention, health promotion. Besides focusing on this, I focused on providing the free flu vaccine, which I know has prevented illness and death.

**Mr. Ted Chudleigh:** On a point of order, Mr. Speaker: I'd like to rise to correct my record. Yesterday in estimates, I made reference to a company called Koolatron as being in financial difficulty. I'm happy to report that the company is solvent and operating happily in Brantford, Ontario.

**The Deputy Speaker (Mr. Bruce Crozier):** That is a point of order, and we thank you for that.

Further debate?

**Mr. Mike Colle:** I'm here today to support Bill 69, An Act to protect children from second-hand tobacco smoke in motor vehicles by amending the Smoke-Free Ontario Act.

First of all, I want to point out the incredible leadership that the member from Sault Ste. Marie, David Oraziotti, has shown, in that when nobody was willing to take this battle on, he did so when there weren't many people who were interested enough or who were not aware of the dangers of second-hand smoke in a confined space and what it was doing to children.

I see there are children here from one of the local schools, and I think it's very important for them to under-

stand that this legislation ensures that adults who are driving automobiles do not use tobacco products, because it intensifies the harm of the tobacco smoke when it's in an enclosed space. So if a child is in the car and the adult is smoking, I think the member from Sault Ste. Marie mentioned it's almost like forcing that child to smoke 10 or 12 cigarettes.

We know unequivocally, after years of denial by big tobacco—big tobacco paid billions of dollars trying to persuade people that smoking was good for them. They denied the fact that smoking was causing cancer. Literally millions of people in the world died as big tobacco was trying to persuade people that tobacco did not cause cancer. In fact, there are still some people out there today who will deny that there's a linkage between smoking tobacco products and cancer, despite the fact that right now in Ontario hospitals there are thousands of people who are on respirators, who have lung cancer, throat cancer, mouth cancer, cancers of all sorts, caused by using tobacco products.

1040

The member from Sault Ste. Marie added to our very strong Smoke-Free Ontario Act, which was a new paradigm in educating and prohibiting the use of tobacco products in public spaces. That means that whether you're in a restaurant, whether you're in some kind of public space, in a hockey arena or wherever you are, you cannot use tobacco products. So the Smoke-Free Ontario Act covers most of the prohibitions in public spaces. It is a piece of legislation which sets the groundwork for protecting the health of Ontarians, and not only protecting their health, but there are billions of dollars used to treat people who are victims of cancerous tobacco.

I think there are over 450 hospitals in Ontario, and you'll find in every hospital—maybe some of the young children here today should visit a hospital and talk to some of the victims of cancerous tobacco so they can see what this awful, addictive drug does to people. It is not only costing the health of those people in these hospitals—killing people—but it is costing the health care system billions of dollars every year to treat the victims of cancerous tobacco. So there's almost a double whammy: the unfortunate individuals who are dying of cancer because of tobacco, and their families, and then also—

**Mr. John Yakabuski:** Why don't you ban it?

**Mr. Mike Colle:** I know the members of the Conservatives are for the tobacco industry and they keep on heckling me in favour of it, but on this side we think that cancer is caused by tobacco and children in the back seats of cars should not be exposed to cancerous tobacco smoke. That's why the member from Sault Ste. Marie was brave enough to bring forward this piece of legislation, against much opposition from the Conservative side. He has put this forward and now the government of Ontario has taken on this bill—Bill 69—which will ensure that innocent children will not be exposed to cancerous tobacco, which the Conservatives are heckling in favour of, because they don't see the danger and they don't read the medical records of the thousands and millions of people who have died as a result of tobacco.



This is another strong step that our government is taking to ensure that this kind of dangerous behaviour does not occur, because it puts the danger of cancer into a confined space in an intensified fashion, and that is why this legislation is important.

I know the Conservatives talk about this being part of a "nanny state." They say the government is going too far by doing this: "Why do they have to do this?" Well, they said the same thing about the Smoke-Free Ontario Act: "Why do you have to have a smoke-free Ontario? We want the right to smoke in Ontario."

This is all about ensuring that the people of Ontario are protected from this hazardous product. They don't have to go into a restaurant and a child doesn't have to be in a car and exposed to this hazardous product. This is the type of thing that Bill 69 does. It protects those who cannot, in some cases because they may be small children, stop the adult from smoking in the car. Therefore, we ask the help of all members of society to ensure that this practice, which many Conservatives condone, should not be allowed in this province. It is part of educating, fining people and telling them that this is something that is not allowed in Ontario.

Again, I congratulate the member from Sault Ste. Marie for having the courage of his conviction to do this. He fought for this private member's bill to the point where the government adopted it because of his hard work, his vision and his caring for children across Ontario. I think all of us in this province should be thankful to the member from Sault Ste. Marie for having the vision and the courage to do this when big tobacco said it wasn't necessary. Big tobacco still says that these measures are not necessary.

We need more members like the member from Sault Ste. Marie, who fight for what they believe in and make this a better province.

**The Speaker (Hon. Steve Peters):** The hour being 10:45, the debate stands adjourned.

*Second reading debate deemed adjourned.*

## INTRODUCTION OF VISITORS

**The Speaker (Hon. Steve Peters):** On behalf of the member from Toronto Centre, we would like to welcome representatives from the Campaign to Control Cancer group, including patients, survivors, advocates and health care professionals.

On behalf of the member from Oakville: in the west public gallery, the grade 5 class and teachers from Brookdale Public School.

On behalf of the member from Mississauga-Erindale: the grade 10 class from Erindale Secondary School, seated in the east public gallery.

On behalf of page Sheilagh Brenegan: in the west members' gallery, Lynn Brenegan, her aunt; Georgia Brenegan, her nana; and Stan Brenegan, her papa.

On behalf of page Matthew Wilson: in the west members' gallery, Andrew Wilson, his brother; Fraser Wilson, his father; and Kim Wilson, his mother.

On behalf of the member from Eglinton-Lawrence and the member from York West, we'll be joined later this morning by Gianni Bardini, the consul general of Italy, who will be seated in the east members' gallery.

On behalf of the member from Toronto Centre, we'd like to welcome the parents of page Rafaël Lemmens-Chapdelaine: Trudo Lemmens, his father; Pascale Lemmens-Chapdelaine, his mother; and Alberic Lemmens-Chapdelaine, his sibling, in the east members' gallery.

As well, on behalf of page Matthew Chaput: in the east members' gallery, Mary Shay, his grandmother, and Gerry Chaput, his father.

On behalf of Premier McGuinty and Minister Watson, I'd like to introduce Emma Brownlie of Ottawa, a student of D. Roy Kennedy Public School, who's accompanied by her mother, Cheryl Brownlie; her grandparents, Leila and Forrest Buckingham; and her aunt, Nancy Tilt. Emma is the CanWest CanSpell National Spelling Bee champion, and she's representing Canada at the world spelling bee championship next week in Washington. She's in the east members' gallery. Welcome, and welcome to all our guests to Queen's Park today.

## ORAL QUESTIONS

### AUTOMOTIVE INDUSTRY

**Mr. Robert W. Runciman:** My question is to the Premier, again dealing with his government's relationship with General Motors. Given that General Motors is one of the largest beneficiaries of what in many cases seems to be a bottomless bowl of money, the government, in our view, has fumbled their strategy in this regard. We're seeing job loss after job loss. I think it's raising legitimate questions about their approach. We believe it's time to shine a light on the deals that this government has made with automakers. Taxpayers have a right to know how their monies are being used and what net gain there is for this province. Premier, will you immediately release the details of your funding agreements with automakers?

**Hon. Dalton McGuinty:** It's hard to figure out from one day to the next where the official opposition is coming from on this score, and I'll tell you why. Just recently—in fact, on April 28—the member for Oshawa stood up in this House and asked a question about the auto sector. He said: "It's extremely important that we come forward with a plan that'll give initiatives to make sure that we build a stronger economy...."

"What are you specifically going to do to aid the auto sector?"

A little while ago, the leader of the official opposition said the following: "[A]ny Premier of Ontario must keep in his toolbox all of the tools necessary to make sure we maintain and attract automobile investment in the province of Ontario...."



"I would consider direct investment, in appropriate cases, to be something that you could use and should use...."

So I say to the official opposition: Are they in favour of supporting the Ontario auto sector or are they not?

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Robert W. Runciman:** Speaker, I'm not sure if you heard an answer there; I didn't. We're talking about specifics with respect to contracts made with General Motors and other automakers. I think we're talking about significant taxpayers' dollars that are going into these funds. Taxpayers have a right to know what the net benefit is.

1050

What we are seeing today is 1,400 jobs now being lost in Windsor, a city that is already facing 10% unemployment, and significant layoffs in Oshawa with General Motors. You are very quick to forget that the money you're handing out with no strings attached is taxpayers' hard-earned money. Taxpayers have a right to know what value they're getting for the money that's gone to General Motors. Based on the job notices, it appears that we're getting the raw end of the deal. Why won't you disclose the details of these contracts?

**Hon. Dalton McGuinty:** I think the results are pretty important. And I think it's important to understand what's happening to the auto sector in the North American economy. Our three biggest competitors in this regard are Michigan, Ohio and Indiana. From 1999 to 2005, Michigan lost 90,000 jobs, a 30% decline; Ohio lost 29,000 jobs, a 19% decline; Indiana lost 16,000 jobs, a 15% decline. It is true that we have lost jobs in the province of Ontario. We've lost 6,000 jobs; that's a 4% decline. But at the same time, of those massive losses, we've secured a \$1-billion new investment from Ford, a \$2.5-billion new investment from GM and a \$768-million new investment from DaimlerChrysler. And contrary to Michigan, we have Toyota and Honda in our province.

We've been doing very well, given the competition, given global economic circumstances, and we continue to press forward to secure even more new investment to create more jobs in the province of Ontario.

**Mr. Robert W. Runciman:** In the bigger picture, they've lost 207,000 manufacturing jobs in the last three and a half years—and growing.

I think a quote I put on the record yesterday from David Adams, the president of the Association of International Automobile Manufacturers, bears repeating: "As it currently stands, Ontario is now one of the most expensive jurisdictions in the world to manufacture vehicles." That's because of your policies over the last four years, and shoving taxpayers' money out the door is not going to solve that problem.

What Ontarians are seeing is that the deal you've made with General Motors has gone badly for taxpayers and for General Motors workers in Oshawa and Windsor. It demands scrutiny; it demands transparency and accountability.

Now we find out General Motors is looking for even more taxpayer money. Before we can trust you again in going into an agreement with this company or others, I think it's clear that you must disclose the details of past contracts. Will you do that?

**Hon. Dalton McGuinty:** The leader of the official opposition really should get hold of his counterparts in Michigan, Ohio and Indiana, because I can tell you what they're asking their governors is, why is Ontario eating their lunch? Why is it that when they've lost 90,000 jobs, 29,000 jobs and 16,000 jobs, experiencing anything from a 15% to a 30% decline in jobs, Ontario has emerged with only a 4% decline in jobs? Why is it that we secured the greatest amount of new investment in North America here in Ontario in the last four years? Why do we have a brand new greenfield Toyota assembly plant? Why did we land that here in Ontario?

There is undoubtedly a real challenge facing the global economy when it comes to the auto sector, but we have more than held our own. We've gleaned an unfair share. We intend to pursue as aggressively as possible a still further share of the limited auto sector economy. We want more new investment and more new jobs here in Ontario.

#### NATIVE LAND DISPUTE

**Mr. Robert W. Runciman:** My question is to the Attorney General. It's regarding the letter sent by Six Nations Council Chief William Montour clearly suggesting that the Minister of Aboriginal Affairs intervened in an ongoing police investigation and prevented the laying of charges. That's potentially a serious criminal offence. Minister, given the clear and serious implications of what Chief Montour is saying in his letter—and you were copied on that letter as well—what did you do about it?

**Hon. Christopher Bentley:** That's right, I was copied on the letter.

The issue in the letter that the Leader of the Opposition makes reference to is answered directly by OPP Commissioner Julian Fantino in his letter to the *Dunnville Chronicle*, which the member should have had a copy of before raising the question. He says, "At no time during this event, or in relation to any police operation, did anyone in government or elsewhere tell the OPP to stand down or direct the operations of the OPP."

That thoroughly and completely addresses the issues raised by the Leader of the Opposition.

**Mr. Robert W. Runciman:** I would suggest that's an abdication of responsibility on the part of the Attorney General. Certainly we appreciate Commissioner Fantino's perspective, but what about Chief Montour's perspective? You're going to completely ignore it.

Given the seriousness of Chief Montour's comments and his request for further interventions with the police, can the Attorney General explain why he didn't bother to correct them? These are written criminal allegations made by a credible individual. Now you're getting up



and the minister's getting up later and saying, "Well, now we're going to do it," after the letter became public. Why didn't you act? It was your responsibility to react.

**Hon. Christopher Bentley:** I'm not sure what part of Commissioner Fantino's letter you disagree with, so let me continue.

In the third paragraph: "The decisions that resulted in the peaceful resolution of the road closure in Caledonia were based on ongoing dialogue between the OPP and Six Nations leadership and on the OPP commitment to resolve such situations in the safest manner possible."

I'll continue on with the next paragraph: "The suggestion that political interference played a part is regrettable and untrue. OPP operational decisions are the purview of the police officers in charge. Decision-making is influenced by factors related to the event and the overall need to maintain order and preserve the peace. This is fully in keeping with the police role and authority."

This government does not direct the police. We do not direct the OPP. The commissioner is on the record. What part of that letter do you disagree with? Stand up and be counted.

**Mr. Robert W. Runciman:** I don't know who you're performing for, but it's certainly not the people of the province in terms of upholding the rule of law.

Chief Montour is a respected, credible individual. He's not someone who would fabricate a story about a minister of the crown interfering with police. He has nothing to gain, but this Minister of Aboriginal Affairs has a lot to lose even if he left the impression with Chief Montour that he was influencing police decisions.

Again, these are serious allegations coming from a credible source. They merit a full investigation, and I ask the Attorney General to take off his political hat, do the right thing, stop protecting a colleague and call in the RCMP.

**Hon. Christopher Bentley:** We have the commissioner of the OPP, who has not only called in but written in to the Chronicle on the very—

**Mr. Peter Kormos:** You're in the back pocket of the police.

**The Speaker (Hon. Steve Peters):** I'd just ask the member for Welland to withdraw the comment that he directed to the Attorney General, please.

**Mr. Peter Kormos:** Withdrawn.

**The Speaker (Hon. Steve Peters):** Thank you.

**Hon. Christopher Bentley:** He has written on the very issue that is raised by the Leader of the Opposition, making clear the suggestion political interference played a part is regrettable and untrue. It is direct, it is clear, it is unequivocal.

We have lots of letters that are received in lots of places over lots of issues. You've heard from the ministers involved. Now you've heard from the OPP commissioner. I say to you again, what part of the OPP commissioner's direct response to the direct suggestion do you disagree with?

**Interjection:** Rumours.

**Hon. Christopher Bentley:** That's right. You want me to act on rumours.

## AUTOMOTIVE INDUSTRY

**Mr. Howard Hampton:** A question to the Premier. Shortly after the McGuinty government announced the automotive investment strategy, you also announced a \$235-million investment in General Motors. I want to quote from the Minister of Economic Development and Trade. This is what he had to say, "And yesterday we built on our success. In partnership with General Motors of Canada ... the Premier announced Ontario's investment ..." Then he goes on to say, "Our investment will support expansions and vehicle design manufacturing capabilities at GM plants right across this province ... This is great news for thousands of workers and their families who will benefit from new and secure jobs at General Motors." It sounded, when you made this announcement, as if General Motors workers across the province were going to benefit.

Premier, can you tell us how 5,500 General Motors workers could be laid off in the context of that announcement?

1100

**Hon. Dalton McGuinty:** I don't know where that last number came from; I've never heard of it before. The leader of the NDP may want to substantiate that. But there is some truth to the release he made reference to.

*Interjections.*

**The Speaker (Hon. Steve Peters):** I just want to remind the members of standing order 23(h) when it comes to allegations. I just remind the Minister of Transportation and the Minister of Public Infrastructure Renewal of that standing order.

**Hon. Dalton McGuinty:** There is some real merit to the release he referenced, which referred to "new and secure jobs." We inherited an auto sector infrastructure, so to speak, which was not bound by any guarantees, any securities. In the face of literally dozens of plants being closed throughout North America, it was inevitable that Ontario would be affected. But we're proud of the record that we established on a go-forward basis.

**Mr. Howard Hampton:** If the Premier can make aspersions of truth and untruth—I'm not quoting from a release; I'm quoting from what the Minister of Economic Development and Trade said here in this Legislature, in Hansard, on March 3, 2005. If the Premier says that Hansard isn't telling the truth, then we've got a problem. But I suggest that Hansard does tell the truth. The problem here is the Premier's problem.

You went out and you told workers and communities across this province that your \$235-million investment was going to guarantee General Motors jobs in General Motors communities across this province. But as we found out on Monday, you forgot all about the workers in Windsor. How could the McGuinty government say here in this Legislature that you were guaranteeing thousands of General Motors' workers' jobs, yet, we find out now



there was not even any thought given to the General Motors workers at the transmission plant in—

**The Speaker (Hon. Steve Peters):** Thank you, Premier?

**Hon. Dalton McGuinty:** We never said that, and that Hansard doesn't say that. What I would recommend to my honourable colleague—and I'm prepared to arrange this for him—is a meeting with Buzz Hargrove. I'm offering to set that up. I'm prepared to serve as a mediator to reconcile, to actively do my best to reconcile, the differences.

But I can say that—and I do want to acknowledge the presence of Bill Reeves, who's with CAW Local 1973; he's the president. I had a chance to chat with him. One of the most important things he asked me to do was to ensure that GM had a continuing strong presence here in Ontario. We are absolutely committed to finding new ways to help GM grow still further in our province.

**Mr. Howard Hampton:** I just want to tell the Premier that it's not Mr. Hargrove who's supposed to be looking after the public finances of Ontario. It's not Mr. Hargrove who said that this \$235-million investment in General Motors is going to guarantee General Motors workers jobs at plants across Ontario. It was the McGuinty government that said that. You didn't just say it in this release in the Legislature; you said it elsewhere.

My question again is this: Your Minister of Economic Development and Trade said that this investment was going to guarantee GM jobs across Ontario. They were going to have more secure jobs. In that context, how could 5,500 GM workers lose their jobs after you made the \$235-million investment and all the announcements that went with it? How can those two things be squared, Premier?

**Hon. Dalton McGuinty:** Again, we've never said—and the fact is we can't guarantee all existing auto sector jobs that are presently found in Ontario. We can make new arrangements, with new investments, on a go-forward basis.

Again, I would want to remind my honourable colleague, since 1999 Michigan lost 90,000 jobs, Ohio lost 29,000 jobs, all in the auto sector, Indiana lost 16,000 jobs.

During that time, when the Big Three shut down dozens of plants in North America, given the fact that here in Ontario about 90% of our product is sold south of the border, notwithstanding those challenges, we landed a billion dollars' worth of new investment from Ford, \$2.5 billion in new investment from GM, \$768 million from DaimlerChrysler, and a \$1.1-billion brand new greenfield assembly plant from Toyota.

I think, given our circumstances, we've been very aggressive and very effective.

#### AUTOMOTIVE INDUSTRY

**Mr. Howard Hampton:** To the Premier: This is not about Michigan or Indiana. This is about the McGuinty government promising something in Ontario and now

thousands of workers find out that what they were promised just hasn't turned out to be the fact.

Here is another comment from Mr. Cordiano, where he said to the Toronto Globe and Mail that, under the agreement, General Motors of Canada has pledged to maintain an average of 16,000 employees over the nine-year life of the project. That means it can trim its workforce by 4,000. General Motors has already trimmed their workforce by 5,500.

Again, Premier, these are the words of you and your cabinet ministers. Why don't they ring true today when 1,400 workers at the GM plant in Windsor are being told "You're out the door"?

**Hon. Dalton McGuinty:** Speaker, to the Minister of Economic Development and Trade.

**Hon. Sandra Pupatello:** I think it's important, when we're talking about numbers like this, that every one of those numbers represents a person who has a family to support. I don't appreciate that the leader of the third party wants to stand up and add thousands whenever he feels it adds to his argument.

The truth is, a few weeks ago GM did announce 900 jobs, not due to take effect in layoffs until September. So don't add 900 to the total. Last year they announced 1,200 in layoffs. What the number actually was when it happened was 400. That means that, thankfully, there were thousands more who didn't receive a layoff notice. This is important, because these families are important to us.

We want GM to do well, and doing well means that we've got to help fight for product against other jurisdictions that we compete with in North America. When we're competing with other jurisdictions around this continent, Ontario is winning, and they're winning because Ontario is prepared to be there—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary.

**Mr. Howard Hampton:** One of the reasons I'm asking these questions is because a lot of workers saw the money go out the door, but they're wondering where their job is now. For example, Ford committed to retaining 4,000 jobs in return for a \$100-million investment from the McGuinty government. Well, Ford has announced layoffs totalling 2,700 workers since that investment. And I think what those workers want to know—and those workers were told pretty much the same thing, that these investments are going to guarantee their jobs, just as your predecessor said here in the Legislature.

I'm asking now: We see the money go out the door. Why were there not, in fact, real job guarantees? Why are 2,700 workers out of a job now?

**Hon. Sandra Pupatello:** This member is interested in asking questions. I want to ask this member, if he was supportive of Ontario's role in reopening the Windsor-Essex engine plant for Ford, the first opportunity for the Ford Motor Company to reverse their decision and re-invest in Windsor—where were you on that decision? Do you support those jobs that are coming back to the Windsor area? And what about the Oakville facility



that's now hiring 500 positions? We have to understand what's happening in the world of the automotive sector, but when that sector is facing challenges, that's when it needs a champion in government, not someone who's prepared to blow all over it and make things worse than they ever were.

We are there for automotive sector today, and we'll be with it again tomorrow. Those are great jobs for Ontarians and we support them.

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**Mr. Howard Hampton:** Obviously, the minister and the McGuinty government don't want to answer this question. I will tell the minister, I actually support government investment to sustain jobs, but government investment should come with job guarantees, and that is something the McGuinty government has failed at miserably. For example, Chrysler committed to retaining 5,200 jobs in return for a \$76.8-million government investment, but since that government investment, Chrysler has sent 2,000 workers out on the street.

I say to the Premier again, if you're going to make these investments, shouldn't you at least look them in the eye and say, "We want a guarantee that our workers are going to continue to have jobs in Ontario," and not have 2,000 workers go out the door immediately or within the next two years after the signing of the agreement?

**Hon. Sandra Pupatello:** Let me reiterate that when we sit down with the automotive companies, all five of them that are assembling here in Ontario—Ford, GM, Chrysler, Toyota and Honda—we work with them because we understand the world market for the automotive sector. We recognize that there are changes afoot. There's a high Canadian dollar. There's a high price for a barrel of oil. We know that the US sales are slumping right now. We know that this is a tough year, but we also know that we're going to pull out of this, and when we do, it's because we helped our companies become productive—that we will solidify jobs to make great cars in the future right here in Ontario, including the city of Windsor.

We're proud of our relationship with the auto sector. It's built this country and it's built our manufacturing sector. We want to ask this member: Do you really support the Canadian auto workers who work in this province?

#### AUTOMOTIVE INDUSTRY

**Mr. Ted Chudleigh:** To the Minister of Economic Development and Trade: Despite over 2,000 recent job cuts at General Motors, the minister has all but agreed to hand out another \$140 million to GM's engine plant in St. Catharines. That's on top of the \$135 million they received in 2005. In fact, the minister said that recent layoffs and losses would have no impact on her decision to dole out more money. I find that unbelievable. To enter so hastily into large agreements, with questionable job guarantees and no accountability, is not a responsible way to look after taxpayers' hard-earned money.

Minister, with this new expenditure, can you guarantee that there will be no more job losses at General Motors in Ontario?

**Hon. Sandra Pupatello:** Let me read this: "I have said repeatedly ... that I think any Premier of Ontario must keep in his toolbox all of the tools necessary to make sure we maintain and attract automobile investment in the province of Ontario.... I would consider direct investment, in appropriate cases, to be something you could use and should use, because to me, what is important for the province of Ontario is we attract and maintain that investment...."

**Interjection:** Who said that?

**Hon. Sandra Pupatello:** John Tory, your leader.

I think you guys need to get it together, because your MPP who comes from Oshawa knows full well that that plant must be viable. We want it to grow in the future. So you tell me today, if GM makes an application to the province of Ontario, does your colleague from Oshawa support that application? I'm going to wait and hear what that member has to say.

**Mr. Ted Chudleigh:** Sadly, I'll have to take that as a no. A lot of the tools you have in that toolbox are giving this government a lot of skinned knuckles when they try to use them. There's no guarantee that General Motors won't take the money and run.

I understand the need to partner with industry and to leverage investment, and I value GM as an important Ontario employer. However, there are two ways to support the private sector: the correct way and the Liberal way. The correct way is to soberly and frugally assess the situation and make certain that recipients are upholding their end of the bargain. The Liberal way is to shovel the money out the door to large corporations as fast as they can, regardless of what those corporations are extorting from this government.

Minister, how can Ontarians trust a government that recklessly spends their hard-earned tax dollars and refuses to be publicly accountable for that money?

**Hon. Sandra Pupatello:** I think it's important, because the MPP from Ottawa said—

**Interjection:** Oshawa.

**Hon. Sandra Pupatello:** Oshawa—and GM is important to this member. He fully supports support for General Motors.

I want to speak about what Christine Elliott, also from Whitby—Ajax—a very important region for the automotive sector—had to say: "I certainly wouldn't dismiss the help out of hand. I think it's important that we be given whatever support they can give."

I think it's important that we say right now, when the automotive sector is facing challenges in Ontario, this is not the time that we're going to pile on—not this government that planted its flag in automotive, not this government that has been so supportive of an industry that has fed this nation for decades.

We are having a tough year and we acknowledge that, but we also know that when it gets tough, that's when the



government gets tough too, and we will help to build this automotive sector and it will be great again.

### WORKPLACE SAFETY AND INSURANCE BOARD

**Mr. Paul Miller:** My question is to the Minister of Labour.

When I met the minister several weeks ago, I asked him to make some demands of WSIB Chair Mahoney, to which he said that he has an arm's-length relationship with the agency, so he couldn't do that. Yesterday, the minister said he had spoken to Chair Mahoney about his lavish spending and had a letter reporting the details of his frolic.

When will the minister exercise his powers and direct Chair Mahoney to cancel the experience rating program and direct those billions of dollars to injured workers, where they belong?

**Hon. Brad Duguid:** If the NDP really cared about injured workers, one would think that they would want to be informed by the review that's going on at the WSIB right now regarding experience rating.

For those who don't know, experience rating is an incentive program brought in originally by the NDP, utilized by the Conservatives as well, when they were in power, and it's a system that's still in place today, that we've acknowledged has flaws and needs to be fixed.

There's a review going on with the WSIB now. Why the NDP would want to pre-empt that review is beyond me. That they would not want to be informed by the recommendations that come from the review tells me that their priority isn't people or injured workers; their priority with this issue appears to be politics.

**Mr. Paul Miller:** Once again, the minister is incorrect. We didn't do that.

On April 17, I asked the minister to use the powers he has under the memorandum of understanding between his ministry and the WSIB and bring in the Auditor General to review this deeply flawed, worker-adverse experience rating program. He said that the WSIB chair is reviewing the program. Well, that's going to be a year down the road, and we've been asking for 10 years to have that done. Really, the chair reviewing a program that he has said is here to stay is like asking employers to willingly give up their lottery winnings.

Again, I ask when this minister will finally do the right thing and immediately cancel the experience rating program, immediately redirect the money to injured workers, where it belongs, and immediately bring in the Provincial Auditor to investigate this program and the labour ministry's fines for workplace injury and publicly report—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. Brad Duguid:** I'll say it again: Why would the NDP not want to be informed by the WSIB review that's going on right now regarding this incentive program?

If this incentive program can be improved, it's going to encourage workplaces across this province and employers across this province to provide healthier and safer workplaces. That is the goal that all of us should be working toward, not trying to score political points on an issue that we're well aware of.

We support the review because we know there are flaws with this particular program, a program, as I said, that the NDP had when they were in power, a program that continued under the Tories, and a program that is in need of improvement. That's why we support the review.

We're not a government of half measures like the NDP would suggest we be. We're a government that wants to do everything we possibly can to improve the health and safety of workplaces across this province. That includes, if needed, incentives for employers. It includes education programs, as well—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### IMMIGRANTS' SKILLS

**Mr. David Zimmer:** My question is for the Minister of Citizenship and Immigration.

My riding of Willowdale is very diverse. I often meet with Iranian, Chinese and Korean Canadian constituents who were trained as doctors, pharmacists and engineers before coming to Canada. They tell me how very crucial it is for them to quickly integrate into Ontario's economy.

On Monday of this week, I was pleased to join the minister at the launch of Ontario's expanded bridge training program. Minister, can you tell us what bridge training is and what sectors of the economy will benefit from these programs?

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**Hon. Michael Chan:** My thanks to the honourable member for bringing this matter to the House. I'm very pleased to share this information with my honourable colleagues. Bridge training programs are the next generation of language and skills training for newcomers in this province. The bridge training project provides job-specific language training, mentorship, skills assessment and work experience, which are needed to succeed in many Ontario professions. That's why the McGuinty government is investing \$27.4 million into 40 bridge training programs across Ontario. This will help 3,000 additional skilled newcomers to land a job that matches their qualifications and experience. This brings our government total to \$85 million and 140 bridge training programs.

**Mr. David Zimmer:** Ontario is renowned throughout the world for the diversity of its population. We know that the majority of newcomers who settle in this province make the greater Toronto area their home. Minister, how will this important investment help newcomers in my riding of Willowdale and in other ridings in the greater Toronto area?



**Hon. Michael Chan:** Newcomers from all over the world choose Ontario as their home because it's a great place to live. I'm very proud of the investments that the McGuinty government has made to support Ontario's newcomers. In the greater Toronto area alone, there are 20 different bridge training programs offered to newcomers. Bridge training programs yield an excellent return on the investment we have made in them.

The Ontario Society of Professional Engineers has designed a pre-exam course to prepare internationally trained engineers to write a professional practice examination, a part of the licensing process for engineers. Programs such as these allow Ontario full access and utilize our most important resource—our minds. The McGuinty government's five-point economic plan is helping Ontario move forward, and my ministry is proud to assist internationally trained individuals with integration into the Ontario market.

#### NATIVE LAND DISPUTE

**Mr. Toby Barrett:** To the Minister of Aboriginal Affairs: Mike Corrado is the owner of a multi-residential site in Cayuga and he met with HDI several weeks ago, along with municipal and provincial officials. HDI requested this meeting after protesters blocked access to Mr. Corrado's land. In addition to a demand for a \$3,000 application fee, they also demanded Mr. Corrado transfer title to his property to HDI and lease it back from them for the next 50 years.

You're a lawyer; you're the government. Is this not illegal? Is this not extortion? More specifically, Minister, are home builders now required to transfer title of their lands to Six Nations?

**Hon. Michael Bryant:** No.

**Mr. Toby Barrett:** Mr. Corrado would really appreciate a more fulsome answer. We've spoken with Mr. Corrado this morning. The blockades at his construction site are still up in spite of your "no." He's been told by Ruby Montour that the protesters will not leave and they'll never leave until he complies with HDI's demands, meaning transferring title of his land.

Again, Minister, is this not blackmail? Are deeds worth nothing? How many thousands of jobs are going to be lost; how many millions of dollars have to be spent on policing? The OPP have told Mr. Corrado they will merely act as peacekeepers; they will not intervene. My question is, do you agree with Mr. Corrado asking the OPP to lay criminal charges, asking the OPP to enforce the Criminal Code of Canada?

**Hon. Michael Bryant:** I spoke to the mayor of Brantford to discuss the municipal council's great frustration, the community's great frustration and the developer's great frustration with respect to what is taking place. A lot of efforts have been made to try and bring people together, to get them off of the streets and on to the negotiating table.

As the mayor said to me yesterday, at the heart of this are, in fact, unresolved claims, primarily along the

Haldimand tract. Both the mayor and I agreed that it really is time for the federal government to set a deadline and say, "We're going to put all of our resources into resolving these claims. It is through that, that we are going to achieve justice." So I certainly want to add my voice to the mayor's and the local members when we say to the federal government, with respect to this 200-year-old dispute, that it is time for them to set a deadline and set it now.

#### PICKERING NUCLEAR GENERATION STATION

**Mr. Peter Tabuns:** To the Minister of Energy: Today a leaked letter in the Toronto Star from the Canadian Nuclear Safety Commission to OPG says that safety margins are eroding at the Pickering B nuclear power plant. Why has your government allowed safety margins to erode at Pickering B?

**Hon. Gerry Phillips:** I appreciate the question from the member from Toronto—Danforth. Clearly, the public wants to have confidence in the safety of our plants. Ontario Power Generation, which runs the plant, works very hard at that.

I think, more importantly, for the confidence, the Canadian Nuclear Safety Commission has, as the member knows, the prime responsibility here. They actually have an office on-site. They have access to the plant at any time. They monitor it very carefully. To provide some confidence, I hope, to the public, recently the staff at the nuclear safety commission recommended that the licence be renewed at this plant for five years. That's the maximum time that these licences can be renewed.

So I think, clearly, safety is very important. The commission has a big responsibility there. As a measure of some confidence, I hope this five-year renewal provides some reassurance to the public of Ontario.

**Mr. Peter Tabuns:** You certainly didn't answer why you've allowed the safety margins to erode. So the second question I have for you, given that this nuclear power plant is one of the closest in the world to a population centre like ours: What are you going to do to restore fully the safety margins that should exist at that plant?

**Hon. Gerry Phillips:** Again, it's a very legitimate question that the member raised. I want to once again say that we, the public, rely on the nuclear safety commission, an independent federal board with this prime responsibility. The public, I think, appreciates that. They have an office on-site, as I said.

Furthermore, they constantly monitor this. The staff there, as I said earlier, are recommending a five-year renewal on the licence. We certainly will follow the recommendations of the nuclear safety commission. They will provide advice to OPG on what things should be done, if any. I just want to assure the House and the public—have some confidence in the nuclear safety commission. They monitor this regularly. They're on-site and they are recommending, as I say, a five-year extension of the



licence, which I hope provides some confidence to the people of Ontario and the people—

**The Speaker (Hon. Steve Peters):** Thank you. New question?

#### ASSISTANCE TO FARMERS

**Mrs. Maria Van Bommel:** My question is for the Minister of Agriculture, Food and Rural Affairs. For the past several months, the cattle, hog and horticulture sectors have suffered greatly from low prices. The increase in the Canadian dollar has also added challenges to their sectors as well. In the 2007 fall economic statement, our government announced \$150 million to help farmers in these sectors.

Some farmers in my riding of Lambton–Kent–Middlesex have expressed concerns over the eligibility requirements for the cattle, hog and horticulture payment program. Another member of this House had recently asked questions about a farmer who had been out of business for over 40 years and had still received a payment.

Mr. Speaker, through you to the minister, could the minister please clarify for this House, and for my farm constituents, the eligibility requirements that were required for the cattle, hog and horticultural payment program?

**Hon. James J. Bradley:** Good question.  
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**Hon. Leona Dombrowsky:** I agree, it is a very good question. I'm happy to have the opportunity to make some clarification.

We worked very carefully with stakeholders who came to us and said there was an immediate need in the agriculture community. So what we agreed upon was that we would use the most recent ad hoc payment, which was provided by the federal government and matched by the provincial government, as the basis. I would remind all producers in the province that they had until September 2007 to make application to participate in that. That is the most current information we had available to us, and it was that information that we used to flow payments to farmers. So they had until September 2007 to receive it. It was based on that information that cheques were flowed. I can assure the people of Ontario that if people had not farmed in 2004, 2005 or 2006, they would not have received—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary.

**Mrs. Maria Van Bommel:** I appreciate the minister taking the time to make that clarification. Hog and cattle producers and related processing industries are still facing significant financial pressure due to the higher feed and energy costs, the impact of the new federal enhanced feed ban regulations and the enhanced US border regulations.

The eligibility requirements, as clarified by the minister today, still leave some of my cattle, hog and horticulture producers ineligible for this program. Could the

minister please tell this House what support programs are available to producers who began farming in 2007 or who did not qualify under the 50% rule of their eligible net sales coming from cattle, hogs or horticulture production?

**Hon. Leona Dombrowsky:** Again, I think it's very important for people in Ontario to know that, yes, for those farmers who started in the industry in 2007, there are federal and provincial dollars available to support them in the case of difficulty. The way that works is that for anyone who did start farming in 2007 or later, they are eligible for what are called interim payments under the AgriStability program. That's the joint program that we have with the federal government. Those programs are triggered by a phone call to Agricorp. Those are upfront payments that are provided to farmers. Farmers who started farming in 2007 would be eligible for those interim payments. For the 2007 production year, I would report to this House that \$18.3 million in interim payments has been delivered to farmers, and that so far in 2008, \$11.7 million has been delivered to farmers who have found themselves in difficulty. So there are dollars flowing to new farmers—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### ACCESS TO HEALTH CARE

**Mrs. Elizabeth Witmer:** My question is for the Premier. Premier, your government continues to deny patients access to PET scans despite the fact that they're available in other provinces and other countries. We have a patient, Roman Gawur, a 57-year-old male who's fighting colon cancer. He's here today. He must now pay \$2,000 for a PET scan, after he has already spent \$25,000 on drugs that you will not cover, to determine if he can declare victory over his cancer or needs more cancer treatment.

I ask you, Premier, why will you not pay for his PET scan, as is done in most other provinces and countries in the world?

**Hon. Dalton McGuinty:** This could be fairly categorized as a "spend" question, and I take it as such.

The member does know that we've been working to get wait times down for our MRIs and CT scans. For MRIs, they're down 11% or 13 days; for our CT scans, they're down by 27% or 22 days.

PET scans are still considered experimental by Health Canada. The member knows that we are currently conducting trials. We need to better understand the clinical value of these scans. I know the member well understands, having been a former Minister of Health, that there are an incredible number of competing demands for limited resources in our health care budget. What we're doing is approaching this carefully and thoughtfully, and we look forward to the outcome of those trials.

**Mrs. Elizabeth Witmer:** As a former health minister, I know that these trials were to have been over by now and that we should have had full and equal access to PET scans for every person in the province of Ontario.



I want to tell the Premier about Perry Brodtkin, a former lawyer for OHIP. He is quoted in the Sudbury Star on April 21 as saying that OHIP must reimburse patients for the cost of PET scans, in accordance with the decision of the Health Services Appeal and Review Board on December 20, 2007, so long as the scan is provided in a public hospital in another province.

I ask you, Premier: Is it true that the province is now forced to pay for PET scans obtained in hospitals in other provinces, and if so, why have you held back and not given this information to the patients and doctors in Ontario?

**Hon. Dalton McGuinty:** I know that there are PET scans being done—in fact, a considerable number here in Ontario. Dr. Bill Evans, who's chair of the Ontario PET scan steering committee, offered this observation. He said: "There's been criticism in Ontario in its seeming tardiness to adopt. But it's a decision taken by cancer specialists of the province, various surgeons and medical and radiation oncologists."

It's probably a healthy thing for us to debate as lay-people and as political representatives on the value of PET scans. But at the end of the day, we have to place our continuing faith in our experts. Dr. Evans says that it's best for us to leave it to cancer specialists, surgeons, and medical and radiation oncologists. We await their very best advice on this, and we look forward to that.

#### NATURAL GAS RATES

**Mr. Peter Tabuns:** Minister of Energy, reports today suggest that Enbridge gas may be increasing their charges to their customers by 20%. There's an expectation that there will be increases in gas costs to customers across Ontario and, at other utilities, a comparable amount. What are you going to do to protect Ontario consumers from a dramatic increase in their gas bills?

**Hon. Gerry Phillips:** The public should be aware, although they may not be aware, that the Ontario Energy Board, on a quarterly basis—every three months—reviews the price of natural gas. None of the companies that distribute natural gas benefit from this. They review the price of natural gas as it's traded across North America, and reflect that price in the price that the companies are allowed to charge. They will review that price, I gather—the Ontario Energy Board—in June, to make a decision on July 1.

That is driven, I might say, very much by their estimate of what the price of natural gas will be over the next 12 months. So I would say: That's a decision that will be made by the independent Ontario Energy Board on the basis of the future price of natural gas. The challenge will be that natural gas has gone up. There very well may be an increase in price, but that is done through legislation—an independent board making that decision on the basis of the cost of natural gas—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Peter Tabuns:** The minister disowns responsibility, disowns his ability to have some impact when he

let the \$22-million lawsuit for late payment fees that's going to come out of ratepayers go ahead. He could do something about the unscrupulous practices of direct energy marketers, but he hasn't done any of that. Those people, in particular, affect the seniors and the uninformed. What are you going to do to protect the most vulnerable people in this society from gouging through those energy costs?

**Hon. Gerry Phillips:** If there's any evidence of gouging, we will take action. In the particular case you're talking about, this is the Ontario Energy Board, with the legislated mandate to reflect the price of natural gas costs around North America. So if you're asking me to violate the legislation that we have passed here in the Legislature mandating them to do that, I can't do that, and you would be the first to say that I shouldn't do that.

I'd just say to the public: The Ontario Energy Board has the legislated mandate to reflect these costs, and they will make that decision in June, effective July 1. I hope the member is not advocating that I, in some way, violate the legislation that we've passed here mandating the Ontario Energy Board to carry that out.

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#### LA JEUNESSE FRANCOPHONE

**M. Jean-Marc Lalonde:** Ma question s'adresse à la ministre déléguée aux Affaires francophones.

Madame la ministre, l'engagement de notre gouvernement envers la jeunesse franco-ontarienne s'est fait sentir à plusieurs reprises depuis l'arrivée du gouvernement McGuinty à Queen's Park. Je pense aux investissements sans précédents dans le domaine de l'éducation et à la mise en œuvre de la politique d'aménagement linguistique.

Il est primordial que notre gouvernement continue son travail auprès de la jeunesse et prenne des mesures pour conscientiser nos jeunes francophones sur le besoin de s'impliquer dans leur communauté pour se bâtir un avenir.

Quelles sont les intentions du gouvernement pour engager davantage la jeunesse francophone de l'Ontario à s'impliquer au niveau communautaire?

**L'hon. Madeleine Meilleur:** Je voudrais remercier le député de Glengarry—Prescott—Russell pour son excellente question.

Le 1<sup>er</sup> mars dernier, dans le cadre du Banquet de la francophonie qui se déroulait à Embrun, j'ai annoncé que la relève est présentement l'un des plus grands défis de la francophonie ontarienne. Il faut donc redoubler nos efforts pour mobiliser les jeunes de l'élémentaire, du secondaire, les collégiaux et universitaires puis les jeunes travailleurs. Il faut former plus de professionnels qui vont travailler en français. Il faut appuyer nos jeunes entrepreneurs francophones qui offrent une main-d'œuvre bilingue.

C'est donc avec fierté que j'ai annoncé que notre gouvernement se propose de créer une stratégie jeunesse francophone qui sera élaborée et mise en œuvre par



l'Office des affaires francophones. Et je suis remplie d'espoir quand je regarde nos jeunes francophones de souche ou immigrants dans le sud-ouest de la province, là où la francophonie de l'Ontario connaît son plus grand essor démographique.

Le gouvernement McGuinty fait—

**Le Président (L'hon. Steve Peters):** Merci.

**M. Jean-Marc Lalonde:** Madame la ministre, les Ontariens et Ontariennes francophones ont accueilli avec enthousiasme votre annonce récente à l'effet que votre ministère allait mettre en place une stratégie pour la jeunesse francophone. C'est très apprécié de voir la coopération qui existe entre votre ministère et le ministère de la Formation et des Collèges et Universités. Pourriez-vous nous donner les grandes lignes de cette nouvelle stratégie?

**L'hon. Madeleine Meilleur:** La stratégie francophone de notre gouvernement aura pour mission de mobiliser la jeunesse franco-ontarienne et d'assurer une relève pour l'épanouissement de la communauté franco-ontarienne.

L'Office des affaires francophones, en collaboration avec nos partenaires francophones, entreprendra des consultations auprès de la communauté pour faire en sorte que notre stratégie jeunesse corresponde aux besoins des jeunes partout en Ontario, car notre jeunesse franco-ontarienne est présente en grand nombre dans le nord, dans l'est et dans le sud de la province. Elle doit composer avec des milieux variés selon sa situation démographique, géographique, économique et sociale. Alors, j'ai confiance que partout en Ontario cette énergie renouvelée chez nos jeunes va trouver sa plus belle inspiration.

En février dernier, j'ai annoncé avec le ministre de la Formation et des Collèges et Universités un investissement majeur de 20 \$ millions pour le centre d'excellence pour l'éducation postsecondaire au Collège Glendon à l'Université York, en collaboration avec le Collège Boréal. Et je pourrais—

**Le Président (L'hon. Steve Peters):** Merci.

#### STEVEN TRUSCOTT

**Mrs. Christine Elliott:** My question is for the Attorney General. Minister, as you know, the previous Attorney General asked Justice Robins to consider the question of whether compensation for Steven Truscott for wrongful conviction would be appropriate. Curiously, the member for Guelph is bringing forward a resolution tomorrow for debate supporting compensation. Will the members of this House be finding out tomorrow the contents of Justice Robins' report through debate on this issue?

**Hon. Christopher Bentley:** I thank the member for the question. It's a very important issue. I do have the advice from Justice Robins. I'm looking forward to the opportunity to speak to this matter in the not-too-distant future.

The member is quite right: There is a resolution before the House tomorrow brought by my colleague the mem-

ber for Guelph. The House will have the opportunity to debate that. I will, of course, hear the result of that discussion tomorrow.

I look forward to speaking to the matter in the not-too-distant future. I really do thank the member for the question about this very important issue.

**Mrs. Christine Elliott:** I look forward to hearing from the Attorney General and wonder if he can give us some definite timelines about when he will be bringing forward this important report.

**Hon. Christopher Bentley:** Once again, I know this is a matter in which all members of the House are very interested and I thank the member for the question. There is going to be a debate here tomorrow and I don't want to say anything. That's a private member's debate. Let that go. I will receive the results of that. I have the advice from Justice Robins and I'm looking forward to speaking to this matter in the not-too-distant future. I don't have a specific timeline, but in the not-too-distant future.

Again, I know the member and others will want to participate in the debate tomorrow on the resolution brought by my colleague the member for Guelph, who has been very interested in this very important matter, as have all members of the House.

#### CHILD CARE

**Ms. Andrea Horwath:** The question is for the Minister of Children and Youth Services. Why is it that yet another province has announced a major provincial investment in child care, some \$244 million, and Ontario doesn't even have a child care line in the budget?

**Hon. Deborah Matthews:** Thanks for the opportunity to talk about the great progress we've made in child care in Ontario. Since the election in 2003, since we came to office, we've created 22,000 new child care spaces in the province. The member opposite will also know that in last year's budget, we allocated \$25 million for last year and an additional \$25 million for this year. So the province of Ontario is moving forward aggressively on child care.

Another very important change that we've made is that we've really streamlined the child care subsidy program so that more people in Ontario have access to high-quality child care.

**Ms. Andrea Horwath:** This minister will know that the vast majority of funding that came to child care in Ontario came from the federal government. That's just the reality. The \$300 million that this government pledged years and years ago still hasn't seen the light of day in Ontario. Not only will Alberta be investing \$244 million to expand child care, they're also going to be enhancing child care subsidies significantly in that province. By comparison, here in Ontario, we have the waiting list expanding in massive ways. Some 23,000 families are on waiting lists for a child care subsidy here in Ontario.

My question is this: Why is Alberta able to expand child care but in Ontario the minister can't even point to a physical line item in the budget that says "child care"?



**Hon. Deborah Matthews:** I can't believe that the member opposite is so naive as not to understand why Alberta is able to invest more in child care than Ontario. However, the important thing is that access to high-quality child care is a very high priority for us. As we move forward on a poverty reduction strategy, having access to high-quality child care at a cost that parents can afford is a very important component of getting everyone who is able to work working in this province.

## PETITIONS

### GASOLINE PRICES

**Mr. Gerry Martiniuk:** I have a petition headed "Freeze Gas Prices."

"Whereas gasoline prices have increased at alarming rates during the past year; and

"Whereas the high and different gas prices in different areas of Ontario have caused confusion and unfair hardship on hard-working Cambridge families; and

"Whereas the false promises of Premier McGuinty adversely affect the trust between Ontarians and their elected representatives;

"We, the undersigned, hereby petition the Parliament of Ontario as follows:

"(1) That the Ontario McGuinty Liberal government immediately freeze gas prices for a temporary period until world oil prices moderate; and

"(2) That the Ontario McGuinty Liberal government and the federal government immediately lower their taxes on gas for a temporary period until world oil prices moderate; and

"(3) That the Ontario McGuinty Liberal government immediately initiate a royal commission to investigate the predatory gas prices charged by oil companies operating in Ontario."

As I agree with this petition, I affix my name thereto.

1150

### HOME CARE

**M<sup>me</sup> France Gélinas:** I have a petition from the SEIU and the people of the greater Toronto area.

"Whereas the Ontario government has continued the practice of competitive bidding for home care services; and

"Whereas the competitive bidding process has increased the privatization of Ontario's health care delivery, in direct violation of the Commitment to the Future of Medicare Act, 2004; and

"Whereas competitive bidding for home care services has decreased both the continuity and quality of care available to home care clients; and

"Whereas home care workers do not enjoy the same employment rights, such as successor rights, as all other Ontario workers have, which deprives them of termin-

ation rights, seniority rights and the right to move with their work when their employer agency loses a contract;"

They ask the Ontario government:

"(1) to immediately stop the competitive bidding for home care services so home care clients can receive the continuity and quality of care they deserve; and

"(2) to extend successor rights under the Labour Relations Act to home care workers to ensure the home care sector is able to retain a workforce that is responsive to clients' needs."

I fully support this petition, will affix my name to it and send it to the Clerk with Evelyn.

### LORD'S PRAYER

**Mr. Mario Sergio:** Before I read this petition, I would like to introduce to the House, on behalf of every member, and especially the Italian members on both sides, the new consul general of Italy, Mr. Gianni Bardini, who is with us today in the west gallery. I would like to welcome him to Toronto. Consul Bardini is not new to Toronto or to the Italian community.

I have a petition from many residents of my constituency, with respect to maintaining the Lord's Prayer. It is signed by many thousands of people in my area, and I'm much in favour of it and will affix my signature to it.

### LORD'S PRAYER

**Mr. John Yakabuski:** "To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its place at the beginning of daily proceedings in the Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message of forgiveness and the avoidance of evil is universal to the human condition: It is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I support this petition, affix my signature and send it to the table with Naomi.

### HOSPITAL FUNDING

**Mr. Joe Dickson:** "To the Legislative Assembly of Ontario:

"Whereas the Central East Local Health Integration Network (CE-LHIN) board of directors has approved the Rouge Valley Health System's deficit elimination plan, subject to public meetings; and



"Whereas, despite the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a project that could reach \$100 million, of which 90% is funded by the Ontario government, this plan now calls for the ill-advised transfer of 20 mental health unit beds from Ajax-Pickering hospital to the Centenary health centre in Scarborough; and

"Whereas one of the factors for the successful treatment of patients in the mental health unit is support from family and friends, and the distance to Centenary health centre would negatively impact on the quality of care for residents of Ajax and Pickering; and

"Whereas it is also imperative for Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding;

"We, the undersigned, therefore petition the Legislative Assembly of Ontario as follows:

"That the Rouge Valley Health System continue to provide the current level of service to our Ajax-Pickering hospital, which now serves the fastest-growing communities of west Durham; and

"That the Ajax-Pickering hospital retain the badly needed 20-bed mental health unit."

I shall affix my signature to that and pass it to Sheilagh.

#### LORD'S PRAYER

**Mr. Gerry Martiniuk:** A petition to the Legislative Assembly of Ontario:

"Whereas Premier Dalton McGuinty has called on the Ontario Legislature to consider removing the Lord's Prayer from its daily proceedings; and

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe; and

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"Therefore we, the undersigned, petition the Parliament of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

As I agree with this petition, I affix my name thereto and provide it to Joanna.

#### GRAFFITI

**Ms. Laurel C. Broten:** A petition to the Legislature of Ontario:

"Whereas graffiti creates a nuisance that can adversely affect property values, business opportunities and the enjoyment of community life;

"Whereas graffiti promotes a sense of disrespect for private property, and a perception that laws protecting public and private property can be disregarded with impunity;

"Whereas it is important that everyone do their part in keeping both public and private properties free of graffiti in order to maintain community pride and confidence;

"Whereas the quick removal of graffiti from walls, fences and other structures is critical to maintaining community cleanliness and beauty; it is always true that the prevention is the best policy;

"Accordingly we, the undersigned, petition the Legislature:

"To impose certain conditions on the sale of spray paint, broad-tipped marker pens, paint pens, glass-cutting tools and glass-etching tools or instruments of graffiti and to make it be unlawful for any person, other than a parent, legal guardian, school teacher or law enforcement officer in the performance of duty, to sell, exchange, give, deliver, loan, or otherwise furnish or permit to be sold, exchanged, given, delivered or loaned any prohibited graffiti material to any minor unless the minor is accompanied by their parent or legal guardian."

I agree with this petition and I'll be signing my name to it.

#### ALMA COLLEGE

**Mr. Khalil Ramal:** "To the Legislative Assembly of Ontario:

"Whereas historic Alma College, designed in the High Victorian Gothic style, chartered by an act of Ontario passed March 2, 1877, opened in October 1881, located in the city of St. Thomas, county of Elgin, province of Ontario, has fallen into a dire state of disrepair; and

"Whereas Alma College continues to be threatened with demolition by its current owners despite the efforts of many concerned citizens, alumni and various officials; and

"Whereas a historical plaque commemorating Alma College was unveiled at the college on Thursday, October 28, 1976, by the Ontario Heritage Trust, an agency within the Ministry of Culture and Recreation; and

"Whereas the city of St. Thomas designated Alma College under part IV of the Ontario Heritage Act (bylaw 167-94), in 1994; and

"Whereas recent amendments (2005) to the Ontario Heritage Act allow the Minister of Culture to designate property as being provincially significant;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The Minister of Culture immediately designate Alma College as a building of provincial significance and, in the event of a demolition order being issued for Alma, to immediately intervene by issue of a stop order, and to further identify provincial partnerships and possible funding to protect the existing buildings from further deterioration while financial resources are generated to restore the property to its former glory."

I agree with this petition. I want to sign my signature to it and give it to Arjun.



## GYPSY MOTHS

**Mr. Tim Hudak:** I'm pleased to present yet more petitions to protect Ontario properties from gypsy moth infestations. They read as follows:

"To the Legislative Assembly of Ontario:

"Whereas gypsy moths are a dangerous pest because they can nest in more than 500 different native plant species; and

"Whereas professional arborists have estimated that thousands of acres in Ontario have been deforested by gypsy moths; and

"Whereas many properties in Binbrook, West Niagara, Haldimand and surrounding areas have been dramatically harmed by gypsy moths; and

"Whereas the province of Ontario has previously funded a cost-shared gypsy moth spraying program;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That Ontario's Ministry of Natural Resources immediately fund a gypsy moth spraying program to assist landowners and municipalities attempting to control further gypsy moth infestation."

In support, I affix my signature.

1200

## HOSPITAL FUNDING

**Mr. Bob Delaney:** I have a petition to the Ontario Legislative Assembly. I would like to thank Dr. Nguyen from Mississauga and also Mary Lou Kiss of Melissa Court in Mississauga for their efforts in collecting the signatures on this petition. It reads as follows:

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I am pleased to sign and support this petition and to ask page Rafaël to carry it for me.

## GAS WELLS

**Mr. Tim Hudak:** I am pleased to present a petition to "Preserve Our Gas Wells." I've read in a number like this. It reads, to conclude:

"We, the undersigned, request as follows:

"That the McGuinty government investigate the Ministry of Natural Resources petroleum division and direct civil servants to work proactively and positively with landowners and farmers to review the government's approach based on the following principles:

"(a) respect for property owners, and

"(b) consistent and fair treatment of gas well owners."

In support, I affix my signature.

## MARY FIX PARK

**Mr. Kuldip Kular:** The petition is to the Ontario Legislative Assembly for the rehabilitation of Mary Fix Park.

"Whereas the province of Ontario has acquired public and private lands for the reconstruction and upgrading of the QEW/Hurontario interchange; and

"Whereas some of the acquired lands will be in excess of the requirements for the interchange; and

"Whereas the city of Mississauga has stated that these lands in excess of the interchange requirements have no developmental value; and

"Whereas the Ministry of Transportation and highways has stated that excess lands from this project will be conveyed to the city of Mississauga for parkland; and

"Whereas the Mary Fix Park property was originally donated to the city of Mississauga exclusively for parkland to preserve natural woodland; and

"Whereas this development has caused the loss of century-old trees, natural woodland and wildlife habitat from Mary Fix Park, and has substantially increased noise and traffic to local residences; and

"Whereas the lands on the south and west side of Pinetree Way are no longer the subject of further construction;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario, through the Ministry of Transportation and highways, remediate the lands surrounding the south and west areas of Pinetree Way between Hurontario Street and Glenburnie Road by planting trees and constructing berms within this year, and convey all excess lands from the QEW/Hurontario interchange to the city of Mississauga upon completion of the project."

I agree with the petitioners, so I put my signature on it.

## LORD'S PRAYER

**Mr. Gerry Martiniuk:** I have petitions provided to me by Dr. Kent D.L. McKinnon and Ms. Lynn B. Schamon.



"Whereas Premier Dalton McGuinty has called on the Ontario Legislature to consider removing the Lord's Prayer from its daily proceedings;

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe;

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"Therefore we, the undersigned, petition the Parliament of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

As I agree with the petition, I affix my name thereto.

**The Speaker (Hon. Steve Peters):** This House stands recessed until 3 p.m. this afternoon.

*The House recessed from 1204 to 1500.*

## MEMBERS' STATEMENTS

### EVENTS IN PENETANGUISHENE

**Mr. Garfield Dunlop:** On Saturday, May 17, 2008, I will be attending what will no doubt be an exciting day for citizens of the town of Penetanguishene, the members of the Ontario Provincial Police and two very special families who reside in the wonderful southern bay community.

An Emergency Services Day will take place at the town dock in Penetanguishene between 10 a.m. and 2 p.m., which will showcase the resources of the Ontario Provincial Police that include the Central Region Canine Unit, the OPP helicopter, bicycle patrol officers, police vehicles, the Penetanguishene fire service, the County of Simcoe Paramedic Services and the Canadian Armed Forces. Also joining in the display will be the local Mothers Against Drunk Driving and the VCARS of Simcoe county.

Ontario Provincial Police Commissioner Julian Fantino will be on hand to proudly dedicate and commission the newest vessel being added to the OPP fleet. This vessel, which is a 32-foot, state-of-the-art boat, will become the cornerstone of the detachment's marine enforcement unit. It will be officially named in memory of Provincial Constable Thomas P. Coffin, who was murdered on May 31, 1997, in the town of Penetanguishene.

Also attending will be members of the OPP central region command staff and the men and women of the southern Georgia Bay detachment. The dockside ceremony will honour Tom's memory. Members of his family will also be present to share in this momentous occasion.

Prior to this, the town of Penetanguishene will honour the memory of Mr. Gil Robillard, who was born and raised in Penetanguishene and has affectionately been referred to as "Mr. Penetanguishene." To honour his dedication to the town and service to the community, a

mural, along with a historical marker, will be unveiled at the visitors' information centre in an official ceremony scheduled to take place at 11:30 a.m. I fully expect this day will be a day, for all those attending, to remember, and one that I will be looking forward to as well.

Mr. Speaker, with your indulgence, I'd like to introduce Mr. Jim Christie, who is with us today. He's the newly elected vice-president of the Ontario Provincial Police Association. He's joined by his wife, Caroline, who's a civilian dispatcher with the Midland Police Service in Midland. I'd like to welcome them to Queen's Park. Welcome, Jim and Caroline.

## ASIAN HERITAGE MONTH

**Mr. Yasir Naqvi:** I rise today to share with the members of this chamber the exciting events that are taking place in my riding of Ottawa Centre in celebration of Asian Heritage Month. The Ottawa Asian Heritage Month Society is a non-profit organization made up of volunteers who are passionate about sharing Asian and Asian-Canadian heritage with everyone in the national capital region.

This month, I had the pleasure of participating in the Era 21 Networking Breakfast for Young Canadians, hosted by Senator Vivienne Poy, in partnership with the Black History Month society. This event brought together a diverse group of 100 young Canadians in grades 11 and 12 to network with parliamentarians and community leaders. The purpose of the breakfast is to encourage the idea of networking across the diverse cultures that reflect Canada's unique multicultural heritage and to help the students understand the great advantage of Canada's diversity, in terms of the opportunities it provides them as global citizens. I shared a panel with Adrian Harewood and Bettina Choo and became inspired by their ideas.

I thank Alek Choo, Sam Sey, Can Le, Katie Ng, Mary Lee and Patrick Cuenco, among many volunteers, for the work they do in promoting Asian Heritage Month in the riding of Ottawa Centre. Their efforts go a long way towards ensuring the spirit of Asian Heritage Month is shared throughout Ottawa.

## ALMA COLLEGE

**Mrs. Julia Munro:** Residents of St. Thomas, Ontario, are still waiting to find out if the Minister of Culture will save Alma College from the wrecking ball. This historic High Victorian Gothic building is an Elgin county treasure, and only this government can save it.

Thousands of people from Elgin county and across Ontario have been signing petitions to "immediately designate Alma College as a building of provincial significance and, in the event of a demolition order being issued for Alma, to immediately intervene by issue of a stop order, and to further identify provincial partnerships and possible funding to protect the existing buildings



from further deterioration while financial resources are generated to restore the property to its former glory.”

When the government amended the Heritage Act four years ago, they gave themselves the power to bring demolitions of historic buildings to a complete halt. People all over Ontario want to know why the minister has not used her powers to save Alma College. If this beautiful old gothic structure is not important enough to you to save, then what historic building would you save?

#### SAULT STE. MARIE ECONOMY

**Mr. David Oraziatti:** I'd like to share great news about my riding, with new jobs and economic development. This past week, with officials from the Ontario Lottery and Gaming Corp., I had the pleasure to welcome Pollard Banknote's \$150-million ticket finishing plant to our city. The new 22,000-square-foot facility will convert rolls of printed lottery tickets into finished books of tickets ready for distribution and sale across Ontario.

In addition to the OLG, this facility will be processing lottery tickets for other Pollard Banknote customers, including the New Jersey Lottery and national lotteries in France and Ireland. The plant opened with 33 employees, including machine operator positions, and will be expanding to approximately 60 employees as production demands increase. The ticket finishing operation will boost Sault Ste. Marie's economy by adding \$32 million to the community over the course of the contract.

Under poor leadership by the past NDP representative, the BABN ticket finishing plant closed, but today we've taken a positive step toward the opening of the new plant and creating new jobs in Sault Ste. Marie.

The opening of this facility is part of the ongoing commitment provincial Liberal governments have shown to our community. Former Premier David Peterson made the decision to move the Ontario Lottery Corp. to Sault Ste. Marie in 1986, and today, with the new ticket finishing plant that has opened, in addition to that there are nearly 900 corporate and casino OLG employee jobs in Sault Ste. Marie, with an estimated annual payroll of \$48 million. Great news for Sault Ste. Marie.

#### DURHAM SUPPORT OUR TROOPS RALLY

**Mr. John O'Toole:** I rise to inform the House of a rally on Saturday, May 31, in Bowmanville, to support the men and women of the Canadian Forces.

The Durham Support Our Troops Rally starts at 11:30 a.m. at Clarington Fields in Bowmanville. Volunteers from across Durham have made this event possible. I would like to thank the Royal Canadian Legion Branch 178 in Bowmanville, Branch 419 in Port Perry and Branch 170 in Uxbridge for their leadership and participation in this rally. Participants also include the Royal Ontario Regiment, cadet units, the Clarington Concert Band, ROSE volunteers and the Team Red Take a Stand organization.

The day will include pipes, bands and colour parties, military displays and, of course, a barbecue and music. Special guests include Lieutenant-General Walter Natynczyk, vice-chief of defence staff, as well as Lieutenant-Colonel John Conrad. Dan Carter from channel 12 will be the master of ceremonies. There's an opportunity to view the Highway of Heroes, the repatriation drive, from Trenton to Toronto. I look forward to joining my federal counterpart, Bev Oda, for Durham and this community event. Everyone is invited to visit Bowmanville on May 31, to show their support for the Canadian Armed Forces who serve our nation at home and abroad.

#### NURSES

**M<sup>me</sup> France Gélinas:** This week is Nursing Week. We tried to get unanimous consent, but couldn't get there, but I'm still going to recognize those nurses. They are at the heart of our health care system. They are the only 24/7 profession at the bedside in our hospitals. They ensure that Ontarians receive the excellent health care that we need and deserve. New Democrats are on the side of nurses.

I'm proud that nurses are at the forefront of fighting for better health care. For example, like nurses, the NDP is opposed to any form of privatization in health care, including Liberal P3 hospitals and competitive bidding in home care. Nurses know the true cost of privatization of our health care system. Just last week, the RNAO study showed that Ontario taxpayers could be saddled with \$585 million more due to Liberal P3 hospitals.

This week being Nursing Week, it's important to highlight how we can better support our nurses. First, the scope of practice for nurse practitioners must be extended. We have yet to recognize the full role that can be taken by nurse practitioners. Second, we need to create more community-governed health care centres that allow nurses to practise to their full scope of training. Third, we must better protect nurses from workplace harassment and violence, as my colleague Andrea Horwath's bill has tried to do.

Our nurses deserve that we stay focused on their needs while they continue to look after our needs. Thank you, nurses. Merci à toutes les infirmières.

1510

#### HEALTH CARE

**Mr. Phil McNeely:** After four years of working with the great staff at the Orleans Urgent Care Clinic to correct the funding crisis, a legacy of the Tory era, we will soon announce a solution to the funding crisis, and the great local services we enjoy in Orléans will be restored. Thanks, Jack, for being there yesterday.

Since coming to office in 2003, the McGuinty Liberals have invested \$74 million in new funding for Ottawa-area hospitals to provide 89,000 additional procedures, improve quality of care and reduce wait times.



Since 2005, wait times in Ottawa have decreased: At the Ottawa Hospital, cancer surgery wait times are down 24% and cataract surgery 42%; at the heart institute, angiography wait times are down 64% and angioplasty 75%. At CHEO, we have the fifth-lowest wait times in Ontario. MRI exam wait times are down 62%. At the Montfort, we didn't close it, we doubled it in size and we got a new MRI last week. These are just samples of the results of the major investments made by the McGuinty Liberals in the hospitals of the Ottawa area.

I want to thank all the front-line workers who have done a great job working with our government. Also, special thanks to Rainer Bloess for meeting with John Tory and his cohorts yesterday. I hope he showed them all the great improvements our government has made in Ottawa.

Health care in Ontario is on the mend. Reduced wait times, improved services and better care are achievements this government can be proud of. Stay tuned, John Tory, and your new buddy Rainer. New health announcements are coming to Orléans.

#### CERTIFIED MANAGEMENT ACCOUNTANTS OF ONTARIO

**Mr. Kevin Daniel Flynn:** It's a pleasure to rise in the House today to announce that we have some very special guests with us in the Legislature. I'm sure that all members will join me in welcoming members of the Certified Management Accountants of Ontario, who are visiting Queen's Park today and are sitting in the east members' gallery.

The Certified Management Accountants of Ontario is a self-governing professional organization of some 24,000 members, and is a significant contributor to the provincial economy. As the leaders in strategic management accounting, CMAs adhere to a strict code of ethics and rigorous standards to uphold protection of the public interest.

CMA Ontario members want to be part of a solution for a prosperous Ontario, and their annual reception at Queen's Park today is an opportunity for all MPPs to engage in important policy discussions.

I agree with CMA Ontario in their positive outlook for Ontario's economy and workforce, that we are capable of withstanding the challenges ahead and that innovative leadership is closely connected to economic success in Ontario.

Please join me in attending the annual CMA reception tonight. It's in committee room 2. We should all be there to show our appreciation for this very, very important profession.

#### LE TRAITEMENT DU CANCER CANCER TREATMENT

**M. Shafiq Qaadri:** Je suis très heureux maintenant de saluer et d'accueillir les représentants de la Campagne

d'action contre le cancer à l'Assemblée législative de Queen's Park.

I am pleased to rise today to welcome to Queen's Park representatives of the Campaign to Control Cancer.

These individuals come from across the cancer community, from patients and survivors to health care professionals and advocates. They are here at Queen's Park to meet with MPPs from each political party to raise awareness of cancer. The Campaign to Control Cancer is working to champion a new response to cancer: more control and less cancer.

I am proud to be part of a government that launched Canada's first province-wide colorectal cancer screening program; that introduced a free vaccine to protect young women against HPV or human papillomavirus, which, as you'll know, is a cause of cervical cancer; that has increased access to provincial breast cancer screening programs; and, very importantly, that will be funding the PSA prostate cancer test for men as of January 2009.

The McGuinty government has also tripled funding for cancer-fighting drugs under the new drug-funding program since the Transparent Drug System for Patients Act came into effect, and we have in fact listed 10 new cancer drugs.

I think these are all important steps as we seek to transform, enhance and resource the health care system for Ontarians.

#### VISITORS

**The Speaker (Hon. Steve Peters):** I'll take this opportunity to welcome, in the west members' gallery, Bob Huget from Sarnia, a member of the 35th Parliament. Welcome back to Queen's Park today, Bob.

#### DEFERRED VOTES

#### BUDGET MEASURES AND INTERIM APPROPRIATION ACT, 2008

#### LOI DE 2008 SUR LES MESURES BUDGÉTAIRES ET L'AFFECTATION ANTICIPÉE DE CRÉDITS

Deferred vote on the motion for third reading of Bill 44, An Act respecting Budget measures, interim appropriations and other matters / Projet de loi 44, Loi concernant les mesures budgétaires, l'affectation anticipée de crédits et d'autres questions.

**The Speaker (Hon. Steve Peters):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1515 to 1520.*

**The Speaker (Hon. Steve Peters):** All those in favour, please rise one at a time and be recognized by the Clerk.



**Ayes**

Aggelonitis, Sophia  
 Albanese, Laura  
 Balkissoon, Bas  
 Bartolucci, Rick  
 Best, Margaret  
 Bradley, James J.  
 Broten, Laurel C.  
 Brown, Michael A.  
 Brownell, Jim  
 Bryant, Michael  
 Cansfield, Donna H.  
 Caplan, David  
 Carroll, Aileen  
 Colle, Mike  
 Craitor, Kim  
 Crozier, Bruce  
 Delaney, Bob  
 Dhillon, Vic

Dickson, Joe  
 Duguid, Brad  
 Duncan, Dwight  
 Flynn, Kevin Daniel  
 Fonseca, Peter  
 Gerretsen, John  
 Hoy, Pat  
 Jaczek, Helena  
 Jeffrey, Linda  
 Kular, Kuldip  
 Mangat, Amrit  
 Matthews, Deborah  
 Mauro, Bill  
 McMeekin, Ted  
 McNeely, Phil  
 Meilleur, Madeleine  
 Milloy, John  
 Mitchell, Carol

Naqvi, Yasir  
 Oraziotti, David  
 Phillips, Gerry  
 Pupatello, Sandra  
 Qaadri, Shafiq  
 Ramal, Khalil  
 Rinaldi, Lou  
 Sergio, Mario  
 Smith, Monique  
 Smitherman, George  
 Sousa, Charles  
 Takhar, Harinder S.  
 Van Bommel, Maria  
 Watson, Jim  
 Wilkinson, John  
 Wynne, Kathleen O.  
 Zimmer, David

Balkissoon, Bas  
 Bartolucci, Rick  
 Best, Margaret  
 Bisson, Gilles  
 Broten, Laurel C.  
 Brown, Michael A.  
 Brownell, Jim  
 Bryant, Michael  
 Cansfield, Donna H.  
 Caplan, David  
 Carroll, Aileen  
 Colle, Mike  
 Craitor, Kim  
 Crozier, Bruce  
 Delaney, Bob  
 Dhillon, Vic  
 Dickson, Joe

Flynn, Kevin Daniel  
 Fonseca, Peter  
 Gerretsen, John  
 Gélinas, France  
 Hoy, Pat  
 Jaczek, Helena  
 Jeffrey, Linda  
 Kular, Kuldip  
 Mangat, Amrit  
 Marchese, Rosario  
 Matthews, Deborah  
 McMeekin, Ted  
 McNeely, Phil  
 Meilleur, Madeleine  
 Milloy, John  
 Mitchell, Carol  
 Naqvi, Yasir

Prue, Michael  
 Pupatello, Sandra  
 Qaadri, Shafiq  
 Ramal, Khalil  
 Rinaldi, Lou  
 Sergio, Mario  
 Smith, Monique  
 Smitherman, George  
 Sousa, Charles  
 Takhar, Harinder S.  
 Van Bommel, Maria  
 Watson, Jim  
 Wilkinson, John  
 Wynne, Kathleen O.  
 Zimmer, David

**The Speaker (Hon. Steve Peters):** All those opposed?

**Nays**

Bisson, Gilles  
 DiNovo, Cheri  
 Elliott, Christine  
 Gélinas, France  
 Hardeman, Ernie  
 Horwath, Andrea  
 Jones, Sylvia

Kormos, Peter  
 Marchese, Rosario  
 Martiniuk, Gerry  
 Miller, Norm  
 Miller, Paul  
 Munro, Julia  
 O'Toole, John

Prue, Michael  
 Runciman, Robert W.  
 Shurman, Peter  
 Sterling, Norman W.  
 Tabuns, Peter  
 Yakabuski, John

Arnott, Ted  
 Bailey, Robert  
 Elliott, Christine  
 Hardeman, Ernie  
 Jones, Sylvia

**Nays**

Martiniuk, Gerry  
 Miller, Norm  
 Munro, Julia  
 O'Toole, John  
 Runciman, Robert W.

Shurman, Peter  
 Sterling, Norman W.  
 Yakabuski, John

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 53; the nays are 20.

**The Speaker (Hon. Steve Peters):** I declare the motion carried.

*Third reading agreed to.*

**The Speaker (Hon. Steve Peters):** Be it resolved that the bill do now pass and be entitled as in the motion.

**The Speaker (Hon. Steve Peters):** All those opposed?

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 55; the nays are 13.

**The Speaker (Hon. Steve Peters):** I declare the motion carried.

*Third reading agreed to.*

**The Speaker (Hon. Steve Peters):** Be it resolved that the bill do now pass and be entitled as in the motion.

# ACCESS TO ADOPTION RECORDS ACT (VITAL STATISTICS STATUTE LAW AMENDMENT), 2008

## LOI DE 2008 SUR L'ACCÈS AUX DOSSIERS D'ADOPTION (MODIFICATION DE LOIS EN CE QUI CONCERNE LES STATISTIQUES DE L'ÉTAT CIVIL)

Deferred vote on the motion for third reading of Bill 12, An Act to amend the Vital Statistics Act in relation to adoption information and to make consequential amendments to the Child and Family Services Act /  
 Projet de loi 12, Loi modifiant la Loi sur les statistiques de l'état civil en ce qui a trait aux renseignements sur les adoptions et apportant des modifications corrélatives à la Loi sur les services à l'enfance et à la famille.

**The Speaker (Hon. Steve Peters):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1523 to 1528.*

**The Speaker (Hon. Steve Peters):** All those in favour will please rise one at a time and be recognized by the Clerk.

**Ayes**

Aggelonitis, Sophia  
 Albanese, Laura

Duguid, Brad  
 Duncan, Dwight

Oraziotti, David  
 Phillips, Gerry

**OPPOSITION DAY**

## WORKPLACE SAFETY AND INSURANCE BOARD

**Mr. Howard Hampton:** I move that, in the opinion of this House, the McGuinty government must:

—immediately direct the Workplace Safety and Insurance Board (WSIB) to eliminate the flawed experience rating program;

—immediately direct the Provincial Auditor to conduct an audit of the flawed experience rating program;

—recognize the fact that tens of millions of dollars have been drained out of the WSIB's accident fund each year by employers who have learned how to play the game of experience rating;

—recognize the fact that experience rating reduces employer claims, not worker injuries;

—recognize the fact that the practice of experience rating actually encourages employers to misreport or under-report injuries and occupational disease, force injured workers back to work before they are medically ready and pay workers sick pay rather than have them receive compensation benefits;



—recognize that this hides the true extent of workplace injuries and illnesses in Ontario;

—recognize that employers actually receive rebates after they have been penalized for workplace injuries and occupational diseases and deaths; and

—recognize that the rebates flowing to employers under the program often exceed the cost of the original fine.

This is addressed to the Premier of Ontario.

**The Acting Speaker (Ms. Andrea Horwath):** Mr. Hampton has moved opposition day motion number 3. Debate? Mr. Hampton.

**Mr. Howard Hampton:** I want to indicate, right off the bat, that I'll be sharing my time with my colleague from Hamilton East—Stoney Creek.

I'm very pleased to be able to present this motion before the Legislature today because this is a most important debate, and I especially want to thank the many injured workers who have come here to Queen's Park today because they care, and care deeply, about this issue. I'd particularly like to welcome Halima Tato and D'Jamal Salhi, two injured workers who were kind enough and courageous enough to share their stories with the media just before this debate began. I encourage all members to hear their stories, because their stories are particularly tragic in the perverse and absurd way in which the experience rating system has treated them.

I'd also like to begin by thanking the Ontario Federation of Labour, which has done months and years of work documenting the absurd and bizarre results that have come under the experience rating program. I especially want to thank Wayne Samuelson, the president of the OFL, who is here with us today.

I briefly want to point out how the experience rating system actually works. Employers who are able to hide their serious workplace injuries as something called "no-lost-time medical-aid accidents" not only reduce their compensation costs, they also become eligible to receive a rebate from the Workplace Safety and Insurance Board—a cash payment. The other side of this perverse program sets out financial penalties for employers who actually report their on-the-job accidents, employers who actually come forward and say, "We've had these on-the-job accidents, these on-the-job injuries." What they get is a higher level of lost-time injury statistics and, therefore, higher costs.

The difference between these two scenarios—employers who under-report their workplace accidents, and then get a cash payment for doing so, and employers who actually report the number of lost-time accidents they've had in their workplace—amounts to roughly \$200 million a year. In fact, it's been estimated that over \$2 billion in rebates have gone to companies in the past 10 years with no evidence that the experience rating program has actually reduced workplace injuries.

The important point is that the two sides of the experience rating program skew the lost-time injury statistics for Ontario by providing a powerful incentive for employers to under-report. In other words, no matter how

badly injured a worker is on the job, as long as he or she comes to work, their employers are rewarded financially under the experience rating system. Employers have responded to this perverse incentive by pushing injured workers back to work as soon as possible, even when the injured worker's doctor is of the opinion that the injured worker is not fit to return to work. Employer efforts to get injured workers back to work often see injured workers coming back to the workplace the next day to some sort of modified work, often long before they're ready to return to the workplace. As a result, injuries that should be recorded as lost-time accidents, lost-time injuries, that at one time would have been reported as lost-time accidents, lost-time injuries, are now being reported by employers as no-lost-time medical-aid accidents.

From the point of view of the program, it does not matter whether legitimate, modified, meaningful work is being provided or if the employer is simply hiding the claim. The result is the same: an under-reporting of lost-time accidents and more cash rebates for the employer. The truth is that if it is cheaper to hide the injuries than to prevent them, many employers with an eye to the bottom line will do just that. They won't focus on preventing workplace accidents or injuries; they'll focus on hiding them. That is one of the perverse results of this system.

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In addition to these perverse employer financial incentives, the Ministry of Labour uses both lost-time and no-lost-time injury statistics as a means to target workplaces for inspections. These are all tremendous incentives for employers to reduce both sets of statistics. So imagine: You've got a perverse system which drives employers to under-report lost-time accidents, and not only do they get reduced compensation costs for that but they get financial incentives. Then there's a follow-up process, which says, "Well, if you under-report, you will be inspected less often by occupational health and safety inspectors from the Ministry of Labour." So it's perversion on top of perversion in terms of the incentives that are here.

There are numerous examples of employers who operate internal incentive programs and engage in intimidation, all to keep injured workers from reporting their claim. Many employers have programs to get workers back to work immediately after an injury so that no lost time is recorded, even if the worker does no actual work or if returning to work so soon delays the injured worker's ultimate recovery. One technique that can be used to hide lost-time injuries is to use the employers' sickness and accident benefit plan. Workers or lower-level management whose job performance evaluation can be affected by the lost-time injury rates may have an incentive to see work-related injuries listed as lost time wholly unrelated to workplace injury or illness.

Things are made worse by cash bonuses that are provided to work crews who do not report any lost-time injuries. This could result in significant peer pressure to use the benefit plan rather than report the injury to WSIB.



Moreover, in the health care sector, consultants advise that hospital administrators routinely keep the wages of the workers whole and encourage them not to file claims with WSIB.

Other schemes to maximize experience rating incentives include draws for prizes. One such example, provided by the United Steelworkers, was a fishing boat and trailer located at the plant gate. Everyone who did not have a lost-time injury reported had their name go into the draw for the boat and the trailer. Another example is from Sarnia. Each week, all workers who did not incur or cause a recordable injury had their name put into a draw for gasoline coupons ranging in value from \$100 to \$1,000. For every week that they “qualified”—meaning no accident was reported—their name was put into the final draw for a vehicle valued at \$30,000 to \$40,000.

It's our opinion, the opinion of New Democrats, that these experience rating programs are more effective in reducing the number of claims than they are in reducing the number of workplace injuries. If there were a true reduction in workplace injuries through better health and safety in the workplace, we would expect to see a significant reduction in fatalities and serious injuries. But a reduction in fatalities and serious injuries has not occurred, which leads us to believe that the reduction in overall reported lost time has little to do with Ontario becoming a safer place to work.

It is also clear that experience rating has led to an increase in claims abandoned by workers. The rate of claim abandonment as a percentage of registered claims has increased substantially since the introduction of experience rating, from just under 7% in 1988 to a high of just under 18% in 1998. The rate has settled to between 15.5% and 16.5% in the last few years.

In 2007, 14,416 lost-time injury claims were abandoned. In addition, there were 41,821 no-lost-time claims abandoned. These are significant numbers of injury statistics that are not part of any performance measure.

That's the case. That's the perverse way in which experience rating works, and that is why New Democrats argue that this experience rating system must be ended now, and why we call on all members of the Legislature to support this resolution.

I know my colleague from Hamilton East–Stoney Creek has many details that he wants to add to this discussion.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Hon. Brad Duguid:** I am pleased to rise today to speak to this issue. Just to be clear on what we're talking about, we're talking about a motion to “immediately direct the Workplace Safety and Insurance Board to eliminate the flawed experience rating program.” That doesn't mean review it; that doesn't mean get rid of it, cut it, scrap it and replace it with something else. That means get rid of it altogether.

I think that's the problem we have with this motion. We've heard no suggestions about how to improve it.

We've heard no suggestions about waiting until the review that's currently taking place with the WSIB, in terms of information that may come forward that could inform this debate. All we're hearing today is a desire to scrap it altogether. That's disappointing, because I think it limits the tools at our disposal to work toward a reduction in workplace injuries across this province.

I'm disappointed, not that a motion would come forward regarding experience rating; I'm disappointed that a motion would come forward in this way that suggests we should scrap it altogether. Had the motion said something like, “We should review it,” or had the motion said something like, “We should consider some way to replace it with a better program,” I would have been happy to support it, Madam Speaker, because as you know, and as everybody in this Legislature knows, our position as a government from the beginning has been that this experience rating program has flaws, that this experience rating program needs to be improved. That's why we support the WSIB in its review of this program. We think it's important that the WSIB does review this program, does make every effort to make this program better, does make some of the improvements the leader of the third party pointed out in his speech.

We're open to those suggestions, and I think that's one of the good things about having this debate. Perhaps by the end of the day some good suggestions will come forward. Certainly, some of the things the NDP, my own colleagues and the Conservative Party say may well be useful, in terms of that review, in identifying some of the problems that exist.

But let's talk about what this motion really does. It really says, “To heck with the facts, to heck with getting the facts first, to heck with waiting to find out about the WSIB review; that just doesn't matter.” That might be information that's important to our consideration, but it just doesn't matter. “To heck with any form of positive enforcement to encourage employers to invest in health and safety; let's just scrap it altogether.” That's the problem we have. I think the leader of the third party thinks he knows best—don't let the facts get in the way of a good argument.

Let's not be in a position where we say that if we scrap this particular program, workers are going to be better off. Our first priority—and it should be the third party's first priority as well—is to do everything we can to reduce workplace injuries. That's got to be our first priority. To suggest that we take an incentive program to encourage businesses to reduce workplace injuries and scrap it altogether, without suggesting that we should be improving upon that program, finding ways to make it work better, is, I think, frankly reckless; it's putting politics ahead of people. That's why we have a problem with this. That's why this minister and this government are not going to buy in to this motion the way it's written.

Let me begin by reminding members that the WSIB is indeed an arm's-length agency of the Ministry of Labour. The WSIB has the statutory authority to determine its own practices and procedures. That independence is vital



to maintaining its role as a provider of no-fault insurance for both employers and workers. The WSIB must be, and must be seen to be, balanced, ensuring fair and reasonable compensation for injured workers and financial stability to employers.

1550

I should point out that the board has already recognized that this experience rating program needs to be reviewed, and more than that, about a month ago, that's exactly what they set out to do. I've listened carefully to some of the advocates who are here today and I welcome them here to this chamber. I've met with a number of them. I've listened very carefully to some of the concerns they've raised about this very issue. That's why this minister and this government are very much in favour of reviewing the experience rating system, reviewing the experience rating program, because we recognize that there are problems with the current system. We recognize that it needs to be improved.

The Toronto Star had a series of articles that identified a number of the problems with the current experience rating system. That information, I would expect, will be very helpful to the WSIB as they conduct this review.

I've made it clear that this government indeed recognizes that there are problems with the current system, and that's why we support this decision of the WSIB to review the experience rating system. That's why we support the WSIB's interim decision to immediately put in place a policy whereby employers whose workplaces experience a fatality should not be able to receive a rebate. I think that's important. It sends out a strong signal right off the bat that this isn't some window dressing type of review that's taking place. This is a serious review and we'll see what the results are. I can't prejudge what the results of the review will be. In fact, the results may be exactly what the leader of the NDP is looking for. It may be to scrap the system altogether, but it may also be a suggestion of an improved system that may in fact give the employers the incentives they need to continue to bring down workplace injuries. That would be a good thing for everybody, not just us here in this chamber, but for workers right across this province.

Our priority as a government when it comes to the WSIB and injured workers is to work with our health and safety partners to reduce workplace injuries. That's the key. In my view, that's the priority.

I think back to when I first had the privilege of serving in this position. It was probably within the first 48 hours that my BlackBerry went off to advise me of a workplace fatality. About 48 hours or 72 hours later, off it went again to advise me of another one. In my view and in the view of this government, as long as 261,000 workers are injured every single year, it's obvious that we together have more work to do. When 715 workers are injured every day, that tells me that's not appropriate, that's not good enough. We have more work to do. That's 30 an hour. That's one every two minutes. By the time I finish speaking here today, up to five, maybe six, workers will have been injured across this province. That's just not

acceptable to this government, I don't think it's acceptable to anybody here in this chamber.

We recognize that we still have more work to do. The key is that we have to do that work together, working with our health and safety partners out in the field, working with the WSIB and utilizing every single measure that we have at our disposal to bring down workplace injuries. That means that we have to look at education and awareness, and the WSIB is doing a pretty good job of trying to get the message out to people, both to employers—in particular employers—and workers, that we have to do everything we can to reduce workplace injuries.

The WSIB and our Ministry of Labour are working with our education system so that workers at a very young age can develop that culture of safety. That's where we need to go. Education and awareness are so important to ensuring that we reach our goals. So is enforcement. There is no government that has enforced the regulations and rules when it comes to workplace health and safety more than we have. We've doubled the number of occupational health and safety inspectors across this province; 200 more health and safety inspectors are out there now, going into workplaces, working with employers. There is a cost to that and that cost is paid for through business premiums, but it's a cost that I think is worth paying, because it's an opportunity to further reduce workplace injuries.

The third pillar of any approach thus far taken—taken by the NDP when they were in power. In fact, some would argue that they implemented much of what we see now in the experience rating system. I know there was some system in place before, but they implemented much of it somewhere around 1992. The Tories continued this system, and we've had that system that we inherited, as well. There's always been a system in place to give employers the incentive that some of them may need to improve the health and safety in their areas.

I would suggest that we're selling injured workers short if we're not using every measure at our disposal to reduce workplace injuries. We really have to be doing everything within our power to do that. To just completely dismiss a potential incentive program that could encourage employers to reduce workplace injuries I think is irresponsible and reckless. It's not something that I'm willing to support today, and I have a feeling that many of my colleagues will join me in opposing this motion simply because of that.

We have every confidence that the WSIB will be conducting a very serious review of this matter. That's what we're looking forward to seeing. We're looking forward to seeing what they recommend. As I said earlier, we can't prejudge where they're going to go with this. We can't prejudge whether they're going to go far enough. We can't prejudge whether they're going to eliminate the system altogether. I suspect that they're going to look at every way they can to utilize this measure to reduce workplace injuries as much as possible.

We've made some progress. We have reduced workplace injuries across this province over the last four



years. We're looking at what looks like about a 20% reduction in workplace injuries. That's an accomplishment and it's something that's been done in partnership with all of our stakeholders. But in my view and in the view of my colleagues—I think in the view of everybody here—that's not good enough. We've got to go further. We've got to do more, because every workplace injury is a family that's in distress. It's a huge impact on the life of a family and a huge impact on the life of workers. I know there are likely some injured workers in the galleries here with us today. They can attest to the huge impact, not only on them physically, but the psychological impact. The impact on their families is devastating. We share with them the concern that we have to do more. This government, while we've done a lot when it comes to enforcement—we're working very closely with our partners when it comes to awareness and education—doesn't feel that's enough. We want to do everything we possibly can. We're going to look at incentive programs as well. If an incentive program comes forward from the WSIB—they are a third party agency and they have the ability to bring this forward on their own, but we're going to be taking a close look at that review when it takes place.

I thank the leader of the third party for raising this issue. I don't support the approach that he wants to take, to scrap it all at once and scrap it altogether. I think it's reckless and irresponsible. At the same time, I am looking forward to seeing more reforms. I am looking forward to seeing some vast improvement to this experience rating system. Let's wait and see when this review report comes forward. I expect it will be sooner rather than later. We'll do what is responsible and we'll do what we believe is in the best interests of injured workers across this province.

**Mr. Robert Bailey:** It is a pleasure for me to rise today to speak to this motion brought forward by the leader of the third party regarding experience rating programs at the WSIB. I would like to start off by saying that our party will be voting against this motion.

It's important to understand the background of the experience rating program and why we support it being maintained. The experience rating program began in 1984 as an attempt to offer a positive incentive for employers to reduce workplace injuries and get injured workers back to work as quickly as possible.

I'd like to say that my experience in industry, both as an employee and in a management position, was that—in my industry, anyway—we had to report every single incident, no matter how small or minor, and full investigations were conducted at that time to prevent any further injuries or incidents. I know that was probably a more progressive employer than maybe some have had the advantage to work for, but I'd like to see us take those ideas forward and implement them across the province, to make other industries do the same. That was in the petrochemical sector, I might add, in Sarnia-Lambton.

Despite all of the reforms of the WSIB over the last 20 years, the experience rating program has had all-party support up until today. The Liberals, under David Peterson, expanded the program in 1986; the NDP, under the Bob Rae government, applied the program system-wide in 1992; and the Progressive Conservatives, under Mike Harris and Ernie Eves, saw no need to change that.

**1600**

The experience rating program is not the biggest problem that the WSIB is facing right now. What we should be spending our time talking about is financial controls that are currently in place at the WSIB, and pressing the current chairman on the importance of wiping out the board's massive unfunded liability by 2014, like they say they are going to do. However, the leader of the third party has chosen to focus on this one program offered by the WSIB, the experience rating program.

Let's look at some facts. First, how does the program actually work? On average, employers pay approximately a 2.25% payroll premium to the WSIB. If workplace safety and insurance claim costs are lower than expected, firms then have some of their WSIB premiums returned. If they are higher than expected, they pay more.

Experience rating promotes higher individual employer accountability without sacrificing basic workers' compensation insurance principles. This encourages companies to invest both in injury prevention and in early and safe return to work. In short, higher claim costs mean higher premiums; lower costs mean lower premiums.

A 2005 independent study by the Institute for Work and Health concluded, "Our research indicates that" experience rating "functions well, encourages prevention and contributes to positive workplace health and safety practices." In fact, for 2006, one in every four Ontario employers under this program were charged approximately \$169 million, with the largest of these firms seeing average charges of \$319,000. The average rebate under the experience rating program for large firms was \$135,000. The charges far outpace the average rebate by a margin of 2.5 to 1.

If a company gets a rebate this year, it would be for accidents that occurred two and three years ago, where they had brought employees back to work. Contrary to what appeared in the *Toronto Star*, the rebate Inco got had nothing to do with the worker who was killed, but it did have to do with the outstanding record that Inco had in getting injured workers back to work sooner in previous years.

That is the type of behaviour that the WSIB is attempting to support and encourage. Under the experience rating program, there will not be a rebate issued in the case of a fatality. Experience rating offers a positive financial incentive to employers to do the right thing and to get injured workers back to work sooner.

The current chair of the WSIB, the honourable Steve Mahoney, is reviewing the program to see how he can keep the program, but it has still not issued a payout in a year that a company has a fatality. Reviewing this pro-



gram is not a bad idea, but many business stakeholders believe that the changes being considered may ill-advisedly introduce concepts of blame into the system, upsetting the founding of the no-fault principles of workers' compensation that are integral to an effective, efficient and fair scheme.

We would be concerned that this may change the program enough that the effect will be that employers will either challenge and appeal claims more or will stop worrying about getting injured workers back to work sooner. In essence, many believe that this will have a detrimental effect on getting employees back to work sooner.

What our party would like to see is the Provincial Auditor do a complete audit of the WSIB. Our party is concerned by the fact that WSIB spending seems to be completely out of control.

The government likes to congratulate themselves by saying that when they took over in 2003, they found the WSIB in such a mess that they called in the auditor. When they called in the auditor, the unfunded liability was approximately \$7 billion. Today, after five years of this government, the McGuinty government, it is over \$8 billion. According to the chair of the WSIB, whom I personally visited a couple of weeks ago, it will peak at just over \$9 billion next year. The board is in worse financial shape today than when we left office in 2003. Those are the facts.

This week, on another note, we learned that the current chair hired some high-powered lobbyists in Ottawa to organize a swanky soiree at Hy's Steakhouse and martini bar. This party appears to have been thrown exclusively for the chairman's former colleagues on Parliament Hill. What we would like to know, on this side of the House, is how much the WSIB spends on lobbying every year. We want to know if the McGuinty government thinks that the WSIB should be hiring lobbyists to organize parties. Is that really a good way to spend injured workers' money? We don't think so.

We're also very concerned, on our side of the House, that the unfunded liability of the WSIB will be growing instead of shrinking. The unfunded liability is caused when the board's income doesn't meet projected expenses.

For years, the WSIB has said that this unfunded liability will be wiped out by 2014. What is happening? The unfunded liability is in fact growing and is expected to peak at just over \$9 billion. What we should be demanding is that the WSIB produce a concrete plan to wipe out the unfunded liability by 2014. This has to have realistic assumptions on the ways that they are going to get their financial house in order.

In closing, I'd like to say that our party is in favour of working with all parties in this House to see that there are no further injuries to workers. We want to improve programs. For all of those reasons, I am looking forward to listening to the rest of the debate.

**Mr. Paul Miller:** I also rise in the House and I'm pleased to participate in this very important debate. I

would like to welcome the many injured workers who have come to the Legislature to observe their elected representatives in action on this very important issue.

The Ontario Federation of Labour has documented cases of the instances in which workplaces in which fatal accidents have occurred have been deemed safe and worthy of rebates under the experience rating program. Recently, WSIB chairman Steve Mahoney ordered a freeze on any rebates to companies that kill.

In announcing this freeze, Mr. Mahoney reported that he was unaware of the issue. In fact, the OFL has been raising this issue for months in meetings with various people at the WSIB, including providing press releases from as early as October 5, 2007. It is clear that Mr. Mahoney, the WSIB board and the McGuinty government have been aware of the problems with the WSIB program for a very, very long time. It's time for action, not more studies.

Here's a personal story. "Cindy" works at Magna. Magna has a bonus system to discourage the reporting of accidents. Cindy was pressured by her company to keep on working to reduce claims costs, which is what is measured for experience rating purposes. The result of Cindy being forced to work too soon and the employer's lack of concern about the actual modifications that would be necessary for a suitably productive job is that Cindy suffered a number of other compensable injuries.

Over one million workers are denied WSIB coverage in this province. There is also the issue of the coverage under the WSIB. Entire segments of our population in the Ontario economy are not covered by workers' compensation, so statistics for them simply do not exist in the WSIB database. An estimated one third of the workforce in Ontario does not have the mandatory coverage by the WSIB. It is the NDP's conviction that it should be compulsory that all workers in all sectors in Ontario be covered by the WSIB.

There are also employers with a good health and safety program which encourage workers to report claims, but then get targeted by the WSIB and the Ministry of Labour and are called "high risk." This has been incredibly damaging to the health and safety programs in Ontario because it sends the message that those employers would have been better off suppressing claims, as many other employers do.

There are some initial indications that the MOL is moving away from the use of the WSIB claims statistics as a performance measure. If this is true, then this is a good first step. We would encourage the ministry to invest more resources to develop other performance measures it can use in deciding how best to direct its enforcement resources. The ministry must improve its communications and working relationship with the WSIB to probe deeper into health and safety, and use true measures of the strength of health and safety in the workplace.

The decline of Ontario's health and safety system—committee certification is wholly inadequate. The degeneration of Ontario's health and safety system can also be



seen in the widespread disregard for the heart and soul of occupational health and safety in this province: joint health and safety committees. These committees are required in all workplaces of 20 or more employees.

Ontario's health and safety efforts are based upon the concept of the internal responsibility system, IRS, which recognizes that there cannot be a ministry inspector at every workplace every day and therefore seeks to establish a joint labour management committee in every workplace of 20 or more workers.

This is how the committee system works. Workers have the right to inspect the premises; investigate critical injuries and fatalities; be informed when there is lost time, injury or illness; refuse unsafe work; and collectively participate in a joint committee with management. Employers are responsible for supporting joint committees; responding to committee recommendations; providing supervision, information and training to workers; and taking all reasonable precautions to protect workers from hazards in the workplace. Governments enforce the rights and responsibilities of both employers and employees. The thing that makes all this work is the certification of key members of the joint committee. Two members—one worker, one manager—of each joint committee must complete a two-part training process called certification. Certification rates are the only available measure of whether the internal responsibility system is working in Ontario's workplaces.

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In March 2007, Cheri DiNovo and Andrea Horwath asked Steve Mahoney about certification rates when he appeared at the government agencies committee. Mahoney responded that perhaps about one quarter of workplaces are not certification compliant.

In the summer of 2007, the WSIB established a phone bank to measure certification compliance. The results of this report have not been made public, but showed that less than one half of workplaces are certification compliant.

Employers provide the names of their certified members to the WSIB. The WSIB has completed lists of all premium remitters in Ontario. However, the WSIB refuses to provide to the Ministry of Labour the list of companies without certified members so that they can be inspected and enforced. Recommendation 10 of the recent government agencies review of the WSIB recommends that the WSIB do everything possible to ensure that all employers are in compliance with the certification requirements under the province's Occupational Health and Safety Act. There is little evidence that the WSIB has taken action on this recommendation.

In summary, the WSIB's experience rating program distorts and undermines the province's workplace health and safety system by distorting employer behaviour. The Ministry of Labour's efforts are severely hurt by a dysfunctional committee system, as manifested in the deplorable certification statistics.

Solutions: Short term, the NDP believes that there needs to be an immediate moratorium on all experience

rating surcharges and rebates until the WSIB review is completed. We also believe that regardless of the outcome of the review, never again should there be any incentive payments to employers that are not meeting their obligations under the Occupational Health and Safety Act.

Long term, there are alternatives to experience rating. In the longer term, the labour movement has proposed a very constructive idea that we believe the minister should study seriously: an excellence fund. Such a fund would allow the board and employers to go forward with prevention and accommodation, promoting timely and safe return to work. Funding for the excellence program would be transferred from all annual expenditures from the current experience rating program. The excellence fund would be set up as a merit system, or incentive program, which would offer grants and loans to employers who want to make a real health and safety improvement beyond their obligation under the Occupational Health And Safety Act: for example, the addition of patient lifts in health care facilities, or the replacement of toxins with safe substances in workplaces. In order to qualify for a grant, the employer must undergo an extensive audit by the board through an accreditation process. The joint health and safety committee would be involved in the accreditation process. For purposes of the audit, employers would be required to record all lost-time injuries and know lost-time injuries and incident reports. Employers passing accreditation would be publicly recognized, much like the ISO-certified companies are, for example, with a banner. If an employer fails the audit, the board and the Ontario government would not purchase any goods or services from them. Grants would be amortized over a reasonable period of time.

Other activities of the excellence fund could include giving grants to employers to modify the workplace to accommodate an injured worker. This could be the accident employer or new employer willing to hire an injured worker. An employer may be given a prospective rate discount if accreditation is passed and no grant had been awarded during the deemed amortization period of the grant. Rate discounts would be adjusted through regular or spot audits. Audits could be triggered through a Ministry of Labour enforcement action and would allow the board to apply administrative penalties which would go to the excellence fund. Entitlement to grants for employers would modify the workplace to accommodate an injured worker, move with the injured worker on RTW—i.e., with the accident employer and/or a subsequent employer. Compensation for a loss of earnings should resume in the event of a job loss by the accommodated injured worker, which would be adjusted on the merits of each individual case.

I'd like to move to a personal thing that happened to me when I was working at Stelco as an industrial mechanic-ironworker-welder. We had a very high accident rate because of the nature of our trades, a lot of injuries: burns and things falling on us. I thought the company was being really nice letting me come back to



work when I was injured. They even sent a taxi to my house to pick me up. They'd asked other workers to do the same thing. I realize that it was only about their experience rating dollars and nothing to do with my health or safety, but when I did go to make a claim, the adjudicator at the WSIB, later on in life when my injuries caught up with me, said, "Mr. Miller, you couldn't have been hurt that badly; you went to work." Obviously, it wasn't a serious enough injury for them to consider my case. Wow.

What I'm saying here is that you do the company what you thought was a favour because you didn't know about the experience rating program. They make it look like they're doing you a favour by letting you come to work, answer phones and sit in a chair all day long. But it wasn't because they cared about me or what would happen to me 30 years down the road. That was obvious, because when I did have a knee problem and I did go to the board, "Mr. Miller, we can't help you. You went to work. You weren't that injured." Disgusting. Trickery. The public were not aware of it, and probably a lot still aren't aware of the system. Brutal.

As a good employee, I came to work and helped the company out even when I should have been at home convalescing, all the while thinking that it was me the company was worried about. No; I know that wasn't true. The company was receiving experience rating lottery winnings on my injured back.

I'll give you a couple of examples. These are actually from the OFL's own records.

"Waste Services ... Inc. (formerly Capital Environmental Resource Inc.)

"Fine: \$160,000

"Year: 2001

"Incident: A worker was standing on a riding step at the back of a reversing loading truck. He fell off and was run over by the truck, breaking his foot, ankle, collarbone and ribs. He suffered permanent ligament damage to his knee and neck. The Ministry of Labour investigator also found that only two seat belts were available, but three workers were assigned to the truck.

"The employer was convicted on three charges—failing to provide instruction to the injured worker on the correct use of the rear riding step, failing to take the responsible precaution of ensuring the injured worker did not ride on the rear riding step while the vehicle was reversing, and failing to ensure seat belts were available for all workers" involved in the process.

"Experience rating details:

"Waste Services ... participates in the NEER program. This incident would still be relevant to their 2004 calculations (but not 2005). In 2004, Waste Services ... Inc. received a rebate of \$247,995.58, more than enough to reimburse them for their considerable fine.

"Northern Sawmills Inc.

"Fine: \$65,000

"Year: 2003

"Incident: There was a logjam on an out-feed conveyer belt of a debarker machine. A worker locked the

out-feed machine and stood up on the conveyer belt, trying to clear the log. Even though the machine was locked, a log was somehow pushed through, and it knocked the worker unconscious, causing a fractured cheekbone, crushed sinus, dislocated jaw, cracked left forehead and a concussion.

"The employer was convicted of failing to ensure that cleaning/maintenance work was not performed on the conveyer until motion that may endanger a worker was stopped.

"Experience rating details:

"Northern Sawmills ... participates in the NEER program. This incident would still be relevant to their 2004 and 2005 calculations. In those two years, they received a net rebate of \$198,053.30, offsetting their fine by over three times" the amount. A shame, Madam Chair.

This has been happening all over our province, as far as we know, for the last 10 years, and it has been brought to this House on more than one occasion by the OFL and other leaders in the labour movement—ignored, put on the back burner. Even the head of the board didn't know about the \$5 million that was paid to a mining outfit up north. They were fined \$325,000 on a death, and they received in the same year \$5 million in rebates.

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"Newmont Canada Ltd.

"Fine: \$120,000....

"Incident: Two workers were performing electrical work on a starter motor. The side electrical contact short-circuited and resulted in critical flash burns to both workers. The first received first-, second- and third-degree burns to the face, hands and arms, and the second received first- and second-degree burns to the hands.

"The employer was convicted of failing to provide the workers with/ensure the use of personal protective equipment.

"Experience rating details:

"Newmont Canada participated in the NEER program. In 2005, the first relevant year following this incident, they received a rebate" of \$476,000, "four times the amount of their considerable fine.

"Semple-Gooder Roofing Ltd.

"Fine: \$150,000

"Year: 2001

"Incident: A construction worker was killed by a reversing tractor-trailer when he was struck and trapped under the wheels and dragged 10 metres. The employer was convicted of failing to ensure that operators of vehicles were assisted by a signaller when the operator's view is obstructed.

"Experience rating details:

"Semple-Gooder Roofing Ltd. participates in the CAD-7 and NEER experience rating programs. In 2005 and 2006 (the last two years that this incident would be relevant to their CAD-7 calculations) they received a net rebate" of \$648,000.00, "more than four times the amount of their considerable fine." They also received a rebate of \$336 from NEER because it was a co-program.



“General Electric Canada:

“Fine: \$50,000

“Year: 2003

“Incident: At a GE light bulb manufacturing plant in Oakville, a worker was caught in the rotating spindles of a fluorescent light bulb-making machine while trying to clear some bulbs that had gone askew. The worker suffered lacerations and tendon damage to the right forearm. A Ministry of Labour investigation found that it was standard operating procedure at the time to clear bulbs while the machine was in operation.”

Once again: a small fine; a large reward.

This system doesn't have to wait a year or even six months for more studies. The minister stands up and says, “We're working on it.”

His own chair didn't even know about the \$5-million payoff to the place in northern Ontario. How you can be running a board and not know about sizable payouts of public money on this, what I like to call, reward system?

What does this system do? This system attacks safety and health in the workplace. It undermines safety committees. It makes people forget about safety tours. Even the last year I was at Stelco, we constantly had to fight to get our monthly tours, which were mandatory in my place of employment for years. In the last couple of years, we were lucky if we got one every five months. How do you recognize that an accident or hazardous thing is going to happen in a workplace if you don't even take the safety tours any more? Mind you, Stelco receives some sizable rebate cheques.

I'm now going to share my last few minutes with two speakers. Mr. Prue and Mr. Tabuns would like to say a few words about their own personal situations when it goes in rotation.

**Ms. Laurel C. Broten:** I'm pleased to join in the debate and speak in respect of the opposition motion to eliminate the experience rating program.

As has been said on the floor of this Legislature, the experience rating program was established to encourage employers to reduce injuries and occupational health diseases and encourage workers to return to work—very good sentiments and things that I think all of us should be hoping for in terms of workplaces and for the constituents whom we represent here.

As the minister himself has said, both he and the Premier have acknowledged that the program is flawed and have stated that some real, serious changes are needed. In the very near term, the WSIB is undertaking an internal review of the program, as they announced on March 10, and that review is under way. In that time frame, the WSIB has placed a moratorium on providing rebates to companies that have had a fatality. That review team is going to report back, and decisions will be made with respect to the fundamental structure of the program.

I have to say that the minister spoke eloquently with respect to why the opposition day motion is irresponsible and uncalled-for. We know that safe workplaces and a strong workplace insurance system benefit everyone. We know that there are changes to be made, and we know

that we need to take guidance and study the issue to determine how that is best to go about. We need workplaces across the province to contribute to a strong and productive province and we are committed to improving the conditions for workers in communities right around the province.

We have invested in and brought forward serious reforms already to the Workplace Safety and Insurance Act that have given more than 155,000 injured workers their first real benefit increase in 12 years. We will be reducing, as the minister has said, injuries by 20% through a comprehensive integrated health and safety strategy, but even at that, we know that there is much more work to do and that that is not enough.

In keeping with the need to be on-site in those communities, it is critical that we have kept our promise to hire 200 new health and safety inspectors, nearly doubling their ranks. That is so we can know what is happening in communities across the province. We can keep our finger on the pulse and we can enforce the rules and make sure that workers are not injured, that they are kept safe and that workplaces are good places to go to, so that those workers can return home safely to their families at the end of the day.

As we stand in this Legislature, we are committed to making sure that injured workers are well taken care of. More than anything, we are committed to making sure that there are fewer injured workers, that fewer families have to go through the very difficult circumstance of seeing their father or their mother come home injured or, even more tragically, not come home at all.

That is why it is critical that we take the time to get it right, to make sure that we do encourage employers to reduce injuries and occupational health diseases and that we encourage workers to return to work when they can. For all of us, that is our goal and our desire, and it is important to take the appropriate amount of time to study, reflect, seek expert advice and work with the WSIB and those experts who can bring this issue to the table to make sure that workers in all of our communities are safe and return home safely at the end of their shift.

**Mr. John Yakabuski:** Thank you for the opportunity to speak to this motion today.

*Interjection.*

**Mr. John Yakabuski:** My friend from Beaches—East York didn't think we got up fast enough. He was ready—

**Mr. Michael Prue:** I thought you were already finished.

**Mr. John Yakabuski:** Gosh, no. I barely got started. Some days, people would wish I was finished before I got started.

Anyway, it's a pleasure to speak to this motion put forward by the leader of the third party, Mr. Hampton, with regard to the experience rating program of the WSIB.

*Interjection.*

**Mr. John Yakabuski:** Peter, I cannot share those feelings with you. The leader of the opposition, Mr. Runciman, is—



**Mr. Peter Kormos:** Bob's outstanding.

**Mr. John Yakabuski:** —outstanding.

Anyway, I've got to tell you that I'm going to be voting against this motion. While I appreciate the passion being displayed by the third party on this issue, that only tells some of the story.

This program has been in effect since 1985. In government, all parties have made the decision not to do away with it. That includes the New Democratic Party's government from 1990 to 1995.

I appreciate some of the statistics that my friend from Hamilton East—Stoney Creek was talking about relating to the fines that companies had assessed against them and balancing that against the rebate that they received in a subsequent time frame. They don't mesh very well, because those rebates sounded extremely large—I heard of one for some mining corporation that was in the \$5-million range—but we also have to ask ourselves what the actual premiums would have been that were paid by those companies that did receive a rebate.

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The justification or logic behind the rebate program is that it acts as an incentive to get workers back to work sooner. I understand what the NDP is talking about: It can be used in a wrongful way to encourage a worker to get back on the job, maybe in light-duty work or maybe just showing up and punching the clock, when they're not ready to be back to work. I can't say that doesn't happen, because in the real world, some things happen that shouldn't happen. But that's not the design of the program. The design is that there's an encouragement for the company to bring injured workers who are ready to come back to work, but who have not exhausted the time frame on their claim, back to work sooner.

Obviously, this program has worked.

*Interjection.*

**Mr. John Yakabuski:** I understand I'm going to have disagreements with my friends next door here, but I've had them before.

**Mr. Rosario Marchese:** That's okay.

**Mr. John Yakabuski:** Rosie and I have disagreed.

It has worked in the past. We in this House, and employers, employees and members of collective bargaining units across this province have a responsibility to ensure that the rules are working the way they should. I would have a concern if I had reason to believe there were shenanigans going on to bring a worker back on the job when they shouldn't be brought back on the job because their health doesn't allow them to do so and the employer was using the system to benefit themselves and hoping that the worker comes back. I presume it would have to be voluntarily. I have to assume that the worker would have to agree to come back.

**Mr. Rosario Marchese:** What else is he going to say?

**Mr. John Yakabuski:** That's easy to say.

**Mr. Rosario Marchese:** Is he going to say no?

**Mr. John Yakabuski:** I guess anybody can say no. I've said no to many things in my life, and many people have said no to me. And sometimes there are conse-

quences, and sometimes there are not. But if there are any nefarious things going on, I would be concerned about that, and I hope any member of this assembly would be concerned about that, because that's not something we should be supporting in any way, shape or form.

I'm going to be voting against this motion, because it's something that, as I said, governments in the past have supported. Our government supported it. It's easy to say that we just get rid of this experience rating system because there are some instances that parties purport have not worked or have led to disadvantaging a worker. But there are also experiences that support it. Unless we have a system that is going to replace it and work better, then I think we're going to stick with the system we have.

*Interjection.*

**Mr. John Yakabuski:** My friend Mr. Miller says, "Bad choice." My ears are too good.

**Mr. Rosario Marchese:** Concentrate.

**Mr. John Yakabuski:** "Concentrate. Try to stay on subject," Rosie says.

**Interjection:** Focus, focus.

**Mr. John Yakabuski:** What I'd like to focus on right now is the head of the WSIB.

*Interjections.*

**Mr. John Yakabuski:** The Minister of Municipal Affairs and Housing says I'm going on a personal attack. Well, not at all.

But I do have to ask members of this House and the people of Ontario how they feel about one of the highest-paid public servants—if you want to call it that—in the province making hundreds of thousands of dollars, double-dipping, going to Hy's Steakhouse and entertaining members of Parliament from across the country. Wayne Easter, the eastern feaster: Here he comes in from Prince Edward Island; he needed some beef to go with his potatoes up at Hy's Steakhouse, one of the swankiest joints in Ottawa, and maybe in the country. Steve Mahoney entertained these folks because he wanted to talk about something. What was it he wanted to talk about? I can't even remember what it was.

**Mr. Michael Prue:** Lowering the flag.

**Mr. John Yakabuski:** Yes: the lowering of the flag on the day of mourning. I guess all of those members in Ottawa have had their e-mail accounts cancelled. No longer does the post office go to the offices on the Hill. The only way you can talk to these people, I guess, is to get them together at Hy's Steakhouse. I know, Madam Speaker, that you're wondering how this relates to the motion, but by the sounds of it there were so many people at that steakhouse that night that it may have made it an unsafe workplace. Those guys, those Liberal MPs, Steve Mahoney and his friends, must have been tripping over one another, and that can certainly lead to an unsafe workplace.

Those are some of the concerns that have not been addressed. We asked questions the other day of the Minister of Labour, and he kind of pooh-poohed the whole thing, like it's a hands-off thing. But then, at the



end of the day, he was saying he wanted to speak to Mr. Mahoney about this. I think we need to have rules in place that quite simply prohibit that kind of practice—

*Interjections.*

**Mr. John Yakabuski:** That kind of practice at Hy's Steakhouse.

**The Acting Speaker (Ms. Andrea Horwath):** Order. I'm having difficulty hearing the speaker who has the floor. I would ask that we can get some order in the House, please. Thank you.

**Mr. John Yakabuski:** I appreciate the commentary from the minister. There are times that debate in this House is riveting and there are times that it's not quite so riveting. I've experienced both sides of it, and coming from both sides of the House as well. I don't want to dwell on this point too long.

Some of the concerns we have with the WSIB and workers in my riding—we deal with injured workers all the time—and the way they are dealt with by the WSIB: There have got to be better ways. There have got to be ways of streamlining the process, the waits, the appeals and the fighting back and forth. If Mr. Mahoney spent more time examining how they do their business at the WSIB, how it relates to injured workers and how they can improve the service to injured workers, both short-term and long, instead of taking Liberal MPs to Hy's Steakhouse for some beef, we'd probably see some improvement in the system. So cancel those trips to Ottawa and get down with reforming and working on the WSIB so that it actually addresses the concerns of injured workers across this province.

Getting back to the motion at hand—again, look, I do appreciate, and I always have a great deal of respect for, the passion and fervour with which the members of the third party go after issues. I was here a couple of weeks ago when we had an opposition day motion which they did not support, and yet their arguments had validity. I do respect the way they go at the issues. But while this experience rating system may require some reforms and improvements—I think that one of the reasons we are here is that we're always striving to improve systems that do exist. As it is, it's something that I don't think we should be dropping or getting rid of, but we should always be engaged in the ongoing process of trying to make this and any other system in Ontario work better.

I live in an area that is dominated by forestry. We all know what kind of business forestry is. It's tough, hard work. The Minister of Community Safety and Correctional Services comes from northern Ontario and he knows all about it. It's hard work, it's tough work, and the propensity for injury is high in that particular business, in that particular industry. We have to ensure that we are doing the very best for those workers, not only in that industry but in all industries. I speak about the forestry industry because of the pertinence to my riding of Renfrew-Nipissing-Pembroke, where we have so many sawmills.

1640

What about the jobs at those sawmills? I've got some concerns about this government. They're not facing the

issues when it comes to jobs. We see job losses every day in the province of Ontario. The forestry industry is struggling like almost no other, but we don't see a real, concrete economic stimulus plan coming from this government. While the economy and all of the economists are saying we're in for some difficult times, the government seems to just be sitting there, biding their time and hoping that events elsewhere will save their bacon. You know, the MPs had beef at Hy's, and the MPPs in the Liberal party want somebody else to come along and save their bacon.

It's up to the government to bring forth some kind of an economic stimulus package. The leader of the NDP gets chastised by the Premier about not supporting the government's job plans with General Motors or Ford or anything like that. Those workers there—it's important for their safety as well. Healthy companies make healthy workers. There's no question about it.

I saw you looking at me like you may have thought I was drifting. Absolutely not, Madam Speaker. We're right on topic and we're going to stick right to it.

**The Acting Speaker (Ms. Andrea Horwath):** I'm glad to hear it.

**Mr. John Yakabuski:** Those economic plans that they've had with the large automakers—the leader of the third party I think has been unfairly criticized by the Premier in that regard, because there should be some kind of a connection between pouring public money into something and an expectation that it will actually lead to retaining jobs, not seeing jobs leave this country.

Anyway, I believe that I'm getting the evil eye from the whip. It's time for me to repeat that I will be voting against this motion, although I do appreciate the intentions of the leader of the NDP.

**Mr. Michael Prue:** I'd like to preface my remarks by thanking two groups that I believe may be here—the first is the Industrial Accident Victims' Group of Ontario, and the second is the Advocates for Injured Workers student legal clinic—for all the research they have done around this issue, not only for today but for many years.

The leader of the third party, Howard Hampton, has stated that experience rating is both absurd and bizarre. I have to echo those exact statements. Then I heard the Minister of Labour talking in what I think were also absurd and bizarre terms, in terms of how and why he was not going to support the particular motion here today.

Experience rating is a system that in effect rewards employers for treating their employees badly: those employees who may be killed on the job, those employees who may be injured on the job, those employees who are forced back to work all too early, those employees who never receive the benefits of the entire WSIB system.

Millions upon millions of dollars are handed out every single month to companies that have abysmal employment records in terms of health and safety. We've heard the statistic that some \$1.2 billion has been handed out to these selfsame companies in the past 10 years. This is, indeed, absurd and bizarre, and it is absurd and bizarre that we are even having to talk to this topic today, be-



cause the money should be flowing to those who need it—those who have been injured on the job, those who are in need of the support for which the system was originally designed all those years ago back in 1985.

I have two constituents who have been into my office in the last little while with tales that need to be told. I promised that if I could, I would tell them today. The first is Mr. Antonio Mauro. He was severely injured on the job back in 1972. He has been permanently unemployed since that time. From 1972 until 1985, there were no cost-of-living adjustments whatsoever. He saw his amount of money shrink and shrink over those many years. Since 1985, it was allowed to escalate at the cost of living, but you have to imagine, he was 13 years behind, and many of those years were where inflation was at 10%, 12%, 15% and one even, I believe, 20% during the year.

The bills that were put forward in this House, Bill 165 in 1996 and Bill 99 in 1998, did little or nothing to help him at all. He has spent his entire life since 1972 living in poverty. To add insult to injury, he has now turned 65 years of age and they are deducting his old age security benefits, as small as they are, from his WSIB. So even in old age, when one would expect to get a pension—and remember, everybody gets a pension—he is having his clawed back under this absurd and bizarre scheme.

We have written to the minister, we have written to the Premier, and all we get back are letters supporting the legislation as it exists and as it punishes Mr. Mauro. We've written some more letters. I'm hoping the minister takes the time to read and research this one. If he is going to support the legislation, then I think that something is very wrong with the Minister of Labour that would do that.

The second case is that of Mr. Harry Shaw. Harry Shaw was injured on duty in 2005. He was 63 years of age. He did what most workers do: He reported to duty the next day. They asked him if he was okay. He had a torn rotator cuff. He reported to work, and he continued to work. The pain got worse and worse. He finally went to the hospital. He had to have his surgery delayed because the hospital took a whole year to get him to an MRI machine. It took another six months for him to see a specialist. He finally agreed to have some surgery on his rotator cuff. He was told—the WSIB told them—that they won't pay because now he's 65 years of age and more than two years have passed. Now he's not eligible any more.

So he appealed. His lawyer wrote a letter and some people wrote a letter. They said yes, they would pay. He went and had the surgery done, and when he came out from having the surgery done, they told him that now they're not going to pay. His lawyer wrote a letter. I'd like to quote just a little. It's Michael S. Green, barrister and solicitor.

The WSIB is quoted: "Loss-of-earning payments continue until the earliest of ... two years after the date of injury if the worker was 63 years of age or older on the date of injury." Then the lawyer goes on to opine: "The

intention of this provision, I am quite sure, was to limit benefits to workers who are 63 years of age or older to two years on the basis that they can be presumed to have an intention to retire. I do not believe the intention was to punish older workers who continue working with pain. If Mr. Shaw had injured his shoulder in January 2008, at the age of 66, rather than in September 2005, he would have been entitled to up to two years of benefits rather than no loss-of-earnings benefit at all. It seems unlikely that legislators intended such an absurd result, but it would be helpful if it was clarified."

We have written to the minister and asked him to clarify it. I know that not a lot of time has gone by, but it has not been clarified. So here are two cases, workers getting the shaft, companies getting millions and millions of dollars when they force those workers back to work, and a WSIB system and a minister who don't seem to care a whole lot at all.

I'd like to leave some more time for my colleagues, but I'd just like to close with saying the experience rating system is absurd and it is bizarre, and so is the treatment that this government and this minister have given at least to my two constituents, these two injured workers. The treatment meted out to them is equally bizarre and equally absurd. I think this minister has a lot of work to do. He should start doing it.

1650

**Mr. Kevin Daniel Flynn:** It's a pleasure to join the debate today. It certainly is an interesting and timely debate and a very important debate. I thank the leader of the third party for bringing it forward.

Having said that, when you take a look at the motion and the open-ended form in which it's presented, is it worthy of support? The answer would have to be no, because quite simply it tells you what, in his opinion—or in his party's opinion, perhaps—the leader of the third party thinks is wrong with the current system; it says nothing about what should be put in its place. If it's not experience rating, then what type of system should it be? Certainly, if we were just to get rid of experience rating, what does that do for injured workers?

Is there a better system that could be put in place? Perhaps. Are there changes that could be made to the current system that would aid injured workers? Perhaps. I think the answer to that would have to be "probably." When you take a look at the motion that was put before us, while it stimulates an important debate, it really does nothing for the injured workers in the province of Ontario.

The minister has been on his feet and said that he agrees that a review of this system is necessary. The chair of the WSIB also agrees that a review is necessary, and that review is going to take place. If you take a look at the history and you hear about some of the reasons that perhaps we shouldn't have an experience rating system anymore, I think any interested viewer, anybody who was in the House today, might want to know where the experience rating system came from. Surprisingly enough, it was brought in during the NDP government.



*Interjections.*

**Mr. Kevin Daniel Flynn:** That's exactly what we have here.

**Interjection:** That's the fact.

**Mr. Kevin Daniel Flynn:** That's the fact. Then—

*Interjections.*

**The Acting Speaker (Ms. Andrea Horwath):** Can I get some order in the House please? Order.

The member for Oakville.

**Mr. Kevin Daniel Flynn:** Perhaps you should be ashamed of yourself. Then they decided to bring in the Friedland formula. Perhaps Mr. Kormos would like to tell us about the Friedland formula. Tell us what the Friedland formula did to injured workers in this province.

It's interesting that somehow we've scratched a little scab and there's a little bleeding going on on the other side of the House. But certainly, with the Friedland formula that was introduced by the third party and by the Conservative Party, which then brought in an adjusted Friedland formula, injured workers in this province—it's true—have fallen behind when you take inflation into account. The cost-of-living increase simply has not kept up with the payments that injured workers have received.

The motion, as I said, does say to get rid of it, but it doesn't say what it should be replaced with. In my days with the Ministry of Labour, I was privileged to serve under Minister Bentley and Minister Peters as their parliamentary assistant. I worked with good representatives from both labour and business. Despite what the issue was, there was generally agreement around one thing: that we should concentrate our efforts on the bad employers and we should leave the good employers alone. I think that's perhaps what the thinking was behind experience rating when it was first brought in under the third party.

The principle behind this is that safety is paramount in this province for all workers. We want to see people come home at night. We want to see injury prevention. We want to see a workplace that is safe. I think that's something we would all agree on.

Is the current system something we want to take a look at, that perhaps we could make better? I would say, probably that's true. I don't think anybody in this House is suggesting we don't do that; in fact, I think that's something we should do with a variety of programs.

If you look at the progress that has been made: When we inherited government, obviously, from the previous party, the Progressive Conservatives, we found out—that is public knowledge—that they had cut inspectors by 25% during their term. Health and safety inspectors were cut. In fact, we had a lower number of health and safety inspectors in Ontario than any other province in all of Canada. When it came to health and safety inspectors, we were the worst in all of Canada when we took over. Since that time, everybody in this House will know that we've had an almost 100% increase in the number of health and safety inspectors in Ontario; 200 new health and safety inspectors have been hired. It's great progress; good progress. We're well on the road to reducing injuries by

20%. Everybody would like to see us get down to 0%—one injury is too many—but we know we have to work towards that goal.

The review is necessary. In 2003, when we assumed government, where was Canada when you looked at all the other OECD countries? Fifth from the bottom. We can do better than that. That's what we're trying to work toward, and that's what the minister has been talking about. Over the three-year period we've been in government, you look at \$1 billion in benefit enhancements for injured workers in this province—good progress. We're well on the road to reducing injuries by 20%.

We simply don't want to return to the days of damage: the cuts and neglect that were inflicted on this system and upon injured workers during the terms of previous governments. We know we can do better. We know that employers are prepared to work with us. We know that the labour movement is behind this; they want to see improvements made. I think Mr. Samuelson has suggested on a number of occasions that there's something wrong with experience rating that needs to be fixed. How big the fix will be is yet to be seen, but I certainly think it's a review that's worthy of consideration and one that is taking place.

Talking about the economy, a strong economy allows companies to have the confidence to invest, to know they are prepared to invest in the training and skills development of their workers and also in the health and safety of their own companies, because anybody who knows anything about health and safety knows that a profitable company is also a company that practises good health and safety. Upon investigation, you'll generally find that a company that has a good health and safety record is a very profitable and successful company, because they get it. They understand that in order to have a profitable workplace, you need to have employees who know they are working in a safe environment. That's something we've been attempting to foster through the Ministry of Labour and certainly through this government.

I'm going to close here. I thank other members of the House for bringing this issue forward. This has allowed us a period of time to talk about some of the issues that are impacting our own communities and that are impacting the workplaces in our own communities. But at the end of the day, when you take a look at the motion, all it does is take away from injured workers. Our intent on this side of the House is to add to the lives of injured workers in a way that's meaningful.

**Mrs. Julia Munro:** It's a pleasure to rise today in response to the motion of the third party.

I want to begin by saying that, very sadly, I have met on many occasions with injured workers in my riding. I say "sadly" simply because of the fact that their frustration and their very painful stories are certainly ones that I think every one of us, as members, are very conscious of and recognize the importance of being able to find legislative frameworks that are balanced and that provide fairness for everyone. I think that's the intent of today's motion.



By way of commenting on this, however, I must express some surprise at the way this motion is worded. The first point is, "Immediately direct the Workplace Safety and Insurance Board ... to eliminate the flawed experience rating program." The second point is, "Immediately direct the Provincial Auditor to conduct an audit of the flawed experience rating program." I suggest that those should be in the other order. Having the auditor do that would be a method of providing for the kind of debate and thought that needs to go into this.

I also want to take this opportunity to go back to the work done a short while ago by the Standing Committee on Government Agencies. The committee chose to review, as one of its agencies, the WSIB. I want to clarify the positions of some of the people who did come forward and explain some of the issues, particularly the one on experience rating. I think it's important to the discussion because, as I mentioned already, we need to have a balanced, fair and reasonable approach.

1700

The first one I'd like to read to you is from Mr. Ian Howcroft, who was the vice-president of the Ontario division of the Canadian Manufacturers and Exporters:

"Experience rating has been a long-standing system enshrined in legislation as a program of the WSIB. However, changes to the program have continually contributed to the financial erosion of the plan as a merit program, and hence the impact it can have to improve health and safety. At one time, the WSIB sought the advice of its experience rating working group prior to implementing any changes. That group, in our view, has become disbanded. The WSIB may not have formally disbanded this group, but in reality it has not been called or met in about three years. From a communication perspective, we believe the WSIB and employers would be better served to have us at the table to discuss these proposed changes. We would like to stress our continued support for experience rating and for the safety group program that exists at the WSIB. Safety groups is one of the most successful programs that we've seen, and we feel it still has a great deal of potential to improve health and safety throughout the province of Ontario."

Of course, the issue around the people, then, who have taken advantage of this program is one that Mr. Howcroft responds to. He suggests that it has not been the experience: "Anybody who's hiding claims or not reporting as they should should be subject to the penalty provisions of the act. We take our role very seriously, educate our members as to what the requirements are and provide them assistance. We want them to report everything that they should be reporting. Our goal is to help them eliminate the accidents so that they don't have to report an accident because there wasn't one, not because they're trying to hide something."

I also would like to take a moment to refer to another deputation, that made by Mr. Les Liversidge. He also had some comments to make about experience rating:

"There has always been a worry about experience rating that when you start to hold employers to account

for their actual performance, are they going to fudge the numbers? We heard that earlier today. Are they going to put cases under the table and not report them? That's why you have other mechanisms. If a company does do that—first of all, I'll explain two reasons why they ought not to do that; three, really. One is, it's just wrong. But it's also a crime. It's against the law; it's against the Workplace Safety and Insurance Act. Whoever does it, that individual can face a fine of up to \$25,000 and up to six months' imprisonment, and the corporation could face a fine of up to \$100,000. So if somebody thinks they're going to save a few hundred dollars by doing that, they're mistaken. And the board ... takes that seriously and they do prosecute those cases. They prosecute a lot of those cases when they find them.

"Who would do that? Who's the individual who would engage in that type of behaviour? The experience rating model is designed to focus in on the rational, informed business person who's going to respond in a self-interested manner to look after their self-interest. That's supposed to translate into positive employer behaviour.... That means you're going to avoid an injury and you know there's going to be a reduction in premiums as a result."

I offer these few comments because I think it's part of this discussion. I think it's an important part. I also want to include in the record one of the recommendations the Standing Committee on Government Agencies in its report had, and I quote, "The WSIB should re-establish the experience rating ... group and review the effectiveness of the experience rating program to ensure that it reflects the overall safety practices of businesses."

I think it's very important, in the light of the comments made by some of the members of the government, that this was the work of the committee. This was as a result of varied people, and I don't have time to refer to all of them but certainly there was a balance. Some of the people visiting here also participated in this.

I wanted to bring to the attention of everyone that this was part of the recommendations that were made. A number of the government members have referred several times to the initiation of studies, and I think on this side of the House it is our responsibility to remind them of their commitment.

**Mr. Peter Tabuns:** I'll share my remaining time with Madame Gélinas.

The human spirit is an incredibly strong thing. We have injured workers here today who are living testimony to that reality, because when companies break or destroy workers and discard them, those workers find themselves at the mercy of the WSIB. They are plunged into a Kafkaesque world where they're offered retraining for jobs that don't exist, in fields where they have no interest. They find themselves in a situation where they're confronted with suspicion, where they're given confusing information.

I say to the Minister of Labour, come to my riding. In my riding, Injured Workers' Consultants has an organization within it called Women of Inspiration. It has



public speaking classes for injured workers so they can find their voice, express what has happened to them and tell the world what has happened to them, and it is not a pretty thing.

I say to the Minister of Labour, who has stood up and defended this system, which is wrong practically and wrong morally, that he should listen to those people who have physically gone through the system, who have physically lost a limb, who have been injured in a way that they cannot carry things, cannot carry their children, cannot carry on with their lives. And then I say to that Minister of Labour, come and listen and then vote in favour of the resolution put by our leader. Listen to them, because they speak every language under the sun and they speak with incredible power. You only have to be there a short time, you only have to listen to one or two stories, as my colleague from Beaches–East York set out. These stories are heart-rending.

This government knows what's going on. It knows this system leads to cover-up, leads to people abandoning their rights, leads to breaking of their lives as well as their bodies. This government could make a big difference. It has the power in its hands. It doesn't have to wait for a report. It could change the system now. It could bring in—and this is not directly related to the motion, but related to worker safety and health—card certifications so more people in this province could be unionized to protect themselves. This government could act. This government must act if it wants to show any moral fibre whatsoever.

**Mrs. Carol Mitchell:** I'm very pleased to enter into the debate and I want to state my position right at the very beginning. I will not be supporting the motion from the third party and I'd like to explain why I will not be supporting it.

I want to be very clear: I know the member who just spoke had a lot of passion in his voice when he spoke about the workers. Every member in this House recognizes that we want to ensure that we make the workplace as safe as possible. I can tell you from my own personal experiences—my husband works in mining—and it can be very difficult. To receive the phone call, when you hear that anyone in your family has been seriously hurt—I have received the phone call. It is a very traumatic time that you go through. Certainly, the whole process that you go through is very difficult: to get back to work and also to ensure that everyone in your family continues to move forward. It is a very difficult process. Anything we can do as a government to ensure that we are as helpful as possible, in my mind, is all of our roles.

1710

I know that the intent of the motion that was brought forward today certainly was to do that. I am very pleased to say that not only the Premier but also the minister do acknowledge that the program is flawed. They do acknowledge that work needs to be done. It was announced on March 10. There has been a moratorium placed if there is a fatality within the workplace, and the WSIB is committed to bringing forward a report that will

deal with this. I see that as a significant step forward. There has been so much work done on the WSIB. I don't want anyone to think for one minute that I don't believe there is more work to do. I recognize that.

I did want to share a couple of things. I had the opportunity within my riding, as you know. You've heard me speak to it many times. My largest employer is Bruce Power. I know that a number of the members of the third party have never been on site, and probably never will be on site, but I did want to share with you some of the things—

*Interjection.*

**Mrs. Carol Mitchell:** I didn't say all; I said some.

I did want to share with you one of the things that was talked about for the day of mourning, because there were fatalities when the original Douglas Point was built. I did want to share some facts with you about how things have changed in the largest employer within my riding.

Bruce Power has gone six million hours without a lost-time injury, and that is absolutely incredible when you think of the thousands and thousands of workers who are there. As many of you know, they're going right now in a restart program, which is one of the largest infrastructure projects in Ontario, and that has gone nine million hours. I can tell you that is quite a feat.

What we can do is to ensure that we have the education, the legislation and also the willingness to continue to listen when things need to be changed. After all, that is our role. Clearly, I see that that is the direction we are headed. The recognition that something needs to be changed and a review begun, to me, signals from the government that change is coming, as there have been a number of changes to the WSIB. I do recognize that there has been a significant amount of work within many workplaces, and I also shared my personal experiences on how difficult it is to get back in the workplace when one has been seriously injured.

What we can do as a government is to recognize the different workplaces and the strengths and weaknesses that come forward, and then ensure that we have a program in place that meets the needs of all employees. After all, it is our responsibility to ensure that we have safe workplaces so that all people will return home safely.

**Mr. John O'Toole:** First, I want to recognize the people in the galleries today. With the change in the standing orders, this is an important issue. Many of the people I recognize—a number of the people there—were here when the reviews were going on in 1995-96. At that time, the Minister of Labour was Elizabeth Witmer, the member from Kitchener–Waterloo, and I recognize members in all the galleries who have appeared over the years.

Certainly in the time I've been here, I know of three reviews—and the member from York–North just spoke. She was referring to the report from the Standing Committee on Government Agencies that held public hearings for the review of the Workplace Safety and Insurance Board, and admirably reported, as she's a very hard-working member of that committee.



Before that committee, certainly the Federation of Labour—Wayne Samuelson—was there, and he's here today. Other members of the community—Mr. Liveridge, who's practised law in that area. He reported back in 1995-96 with the Cam Jackson review. So it's not a new issue, but it's a very complex area.

In fact, looking back at the resolution, it's a bit strongly worded. I'm looking here at the order paper and it's really overstated. That's the problem that I find with Mr. Hampton's motion, the NDP motion. I just think it's important to read some of it. This is the strong wording:

"Immediately direct the Workplace Safety and Insurance Board, WSIB, to eliminate the flawed experience rating program." That's pretty direct.

"Immediately direct the Provincial Auditor to conduct an audit of the flawed experience rating program;

"Recognize the fact that tens of millions of dollars have been drained out of the WSIB's accident fund each year by employers who have learned how to play the game of experience rating." These are sort of loaded phrases.

"Recognize the fact that the practice of experience rating actually encourages employers to mis-report or under-report injuries and occupational disease, force injured workers back to work before they are medically ready...

"Recognize that this hides the true extent of workplace injuries...."

I have no disagreement that this is something that should get full scrutiny. Certainly the chair, Mr. Mahoney, a former federal minister—and just reported in the press recently in an article called "Head of Worker-Safety Board in Hot Water for Hosting Ottawa Bash." That's inappropriate and unacceptable, and I think the lack of any decisiveness on the part of the minister or the Premier—to send the right signal during this discussion about Mr. Mahoney's behaviour or his comments would have been the right thing to do.

To find a solution, you're always looking for the balance. In any discussion, you're looking for the balance. And I'm saying that I want to give some respect to the work done by the member from Hamilton East—Stoney Creek, Paul Miller, who gave a good account of his work and his time at Stelco. I can tell you he did a very good job this week at the Standing Committee on Estimates, which was reviewing the work of the Minister of Economic Development and Trade, Ms. Pupatello. He actually put her through the grill, if you will, with very stern questions on accountability.

That's what's really more important here—rather than whether or not we know the history or the nuances of this particular discussion on experience rating. I think you'd have to look back to—the work done generally by the NDP is commendable. They're the right questions, which may be different from our questions, but certainly the intent and the genuineness of the motion are recognized.

I think once you look at the work that Mrs. Munro mentioned in her report, under the experience rating—there are a number of different opinions on it, for sure.

You can look at my riding of Durham. I know there are people here from that riding. Probably the largest employer, at one time, was General Motors, and that's unfortunately not the case anymore. The auto sector generally is in a state of challenge. I worked there 30 years. In fact, I worked indirectly in that area. I worked in the computer department for a long time, but more importantly, I worked in the personnel area and I worked in a period attached to the labour relations component, which was part of the program of bringing people back to work. I have some comments, and if I have time, I'll mention them.

It's very important that if a person is out long-term and after a severe injury—there's no one disputing the legitimacy of the claim at all, nor should they. Every accident should and must be reported. If they're on pain medication, I think sometimes it's hard for them to get back to work. We used to call it work hardening—getting people up and getting them to work. That's as much of the job as getting ready, getting there, travelling, often from Peterborough or Lindsay or further, back to General Motors plants. It's very difficult to have a long car drive if you've had a back injury, a repetitive strain injury, carpal tunnel or those kinds of things and you're on medications for pain. It's better to have a routine that pulls you along in life.

1720

I was all in support of the early return. I had discussions often with the district committee men representing the union, saying that what they should do is set aside a number of jobs for these—because seniority prevails in the workplace. The light-duty jobs tend to be high-seniority jobs, and if you had a young worker injured, strained or something like that, maybe it would be better if they had a light-duty job for a little while. I think there could be co-operation, to work through, to make sure—what's this all about? The most important thing, in fairness, is to first of all recognize and treat the people fairly, and secondly, encourage them to keep going despite the setback of the injury. Look at persons who have special needs, physically or mentally. They have to come along in life and participate alongside the rest of us who may have our own problems.

More recently, I was reading an article in the same paper, "The Hard Search for 'Good' Jobs." That's the balance. "Former US President Bill Clinton had it right when he said, 'The best social policy is a good job.'" With that comes dignity and respect: "I've earned my way. I have an equal voice."

If you look at what the CFIB said during those hearings, they said that generally—they're small employers, by and large—they support it.

The other employers in my area would be OPG, General Motors and the auto sector, but also the agricultural sector. There's a young man, 46 years old, and I went to his wake and funeral just last week. He was killed, run over by a tractor. His father was actually driving the tractor. It's tragic. He was married and all the rest of it. Any injury is very sad, specifically this type of injury.



But what I want to make sure is—the record here is this review that's being done on experience rating. There was a legitimate reason when it started under David Peterson. This is the important fact here: That's when it started. It was carried on under Bob Rae.

In 1995, I was working at General Motors, in fact in this area. I was an area manager in part of the plant. It was right in the plant; it wasn't some kind of office job. The big deal was the number of injuries or those kinds of actions within the plant. They were a very important part of my rating, if you will, as a supervisor.

I would say that I wouldn't support this resolution, because I think what it needs is to be enforced properly, so that employers who are doing what Mr. Hampton is suggesting are severely penalized for not conforming. Experience rating employers should be able to earn their way back. The last thing we want to do is jeopardize jobs in the province. We shouldn't lower standards; we should have very strong safety records.

There's one last thing I want to put on the record. Over the many years that I've been here, Paul Kells, whose son was killed at work, has led a crusade in his life to have young people well trained before they enter the workplace with summer jobs. At this time of year—it's a signal and it's a good time to talk about the positive things—young people and employers have a responsibility to make sure of workplace training and the certification of the workplace, so that everyone has the opportunity to work in a safe environment, and WSIB is an important part of that. That's why I think the report that will be filed shortly by the Standing Committee on General Government—let's wait for the report and see what the minister says, and let's worry about the liability as well.

**M<sup>me</sup> France Gélinas:** I too want to share an experience with you. My neighbour died in a mine. He left behind his wife and his 8-year-old daughter. The mining company was fined a hefty fine for what happened, but the same mining company received 10 times that amount in WSIB rebates. His death was not considered a lost-time injury. It didn't count. How can we continue to support a system that treats the death of a worker as a better outcome than a lost-time injury? To me and to all of the workers who lost their life on the job, it doesn't make sense. It needs to be changed. We need to support this proposition.

**Mr. Vic Dhillon:** I'm extremely pleased to be able to respond to the motion brought forward by the honourable leader of the third party, in which Mr. Hampton wants to get rid of the experience rating system used by the WSIB.

As the minister said, it would be very difficult, and even impossible, to get rid of this system. But instead, we launched a review of the system on March 10, just a little over two months ago. The WSIB is conducting a review of its experience rating program. Their review team will look back at the decisions regarding the fundamental structure of the program by March 2009.

The board is also making immediate changes to the program. Effective immediately, if a company is responsible for a workplace fatality, it is ineligible for a

rebate in that calendar year. The review will also consider requiring employers to be in compliance with the Occupational Health and Safety Act, the Workplace Safety and Insurance Act, 1997, and a long-term plan to tie the board's incentive programs to proactive health and safety initiatives.

Let me take a few minutes to review the background to the WSIB's experience rating program. Under the Workplace Safety and Insurance Act, the WSIB has the discretion to establish experience and merit rating programs. The purpose of these programs is to encourage employers to reduce injuries and occupational diseases and to encourage workers to return to work. The incentive works by rewarding good performers with rebates while imposing surcharges on poor performers.

The WSIB currently administers three experience rating programs. The first is the new, experimental experience rating program. This program automatically applies to companies which pay more than \$25,000 per year in premiums and are in a non-construction rate group. Through this program, a company can earn rebates on its premiums by maintaining a good health and safety record. If it has a poor health and safety record, it may be assessed surcharges. Next, there is the CAD-7 program. This is a prevention incentive program that applies to employers in the construction sector whose average annual premiums are more than \$25,000. Through CAD-7, construction companies can earn refunds on premiums by maintaining a good health and safety record. If they have a poor health and safety record, they may be assessed surcharges. There's also the merit adjustment premium plan, which is designed specifically for small employers. Each program uses premium adjustments, rebates and surcharges to encourage workplace health and safety.

I want to assure members of this Legislature that the WSIB does not stand pat on its programs. The purpose of these programs is to provide incentives to employers to help reduce workplace injuries.

I want to point out that the WSIB does not stand alone in seeking to reduce workplace injuries and deaths. The Ministry of Labour also plays a large and vital role in its legislative, educational and enforcement activities. The Ministry of Labour has a primary responsibility to ensure that workplaces comply with Ontario's Occupational Health and Safety Act and related legislation. This means ensuring that a strong internal responsibility system is in place. A strong internal responsibility system means, in part, having a system of well-functioning joint health and safety committees that foster a strong, sustainable culture of workplace health and safety.

A strong health and safety workplace culture consists of:

- (1) Competence—having appropriate knowledge and training systems for responding to events and a properly functioning joint health and safety committee;

- (2) Commitment—a demonstration by the employer of leadership on safety, appropriate policies and procedures to protect workers, low tolerance for poor health and



safety practices, and insistence upon full compliance; and lastly

(3) Capacity—having adequate resources for preventing injuries and a good system for obtaining assistance from sector health and safety associations and the WSIB.

1730

To build a strong health and safety workplace culture takes many people working together. It takes partnerships among the wide range of organizations that are striving to keep Ontario a leader in workplace health and safety. The health and safety of Ontario workers is our highest priority.

Just before I finish off here, having been the PA to the Minister of Labour since October 2007, I cannot tell you the satisfaction I get from knowing and learning about the programs that are in place and attending functions.

I believe my colleague from Durham was mentioning the story about Rob Ellis and his crusade after the death of his son as a result of a workplace injury. It's a truly moving presentation that Mr. Ellis gives all over the province; it's just priceless. I had a chance to go to a Mississauga high school where Mr. Ellis and the folks from the WSIB had a seminar for young kids. You could really see on the faces of these teenagers, grade 12 and 13 students who are just about to enter the workforce, the effects that workplace injuries have on families. There is a way to prevent it. These young folks are just about to embark on their working careers, whether it's a part-time job or a full-time job if they aren't pursuing any post-secondary education. It's really important that we get them young and teach them about their rights and responsibilities, about the labour laws and how they can be safe wherever they work, things such as refusing unsafe work. A lot of people didn't know these laws existed, so I was truly satisfied with what we're doing.

Again, as our minister stated before, there's more work to do, because until we get to that goal of zero injuries or deaths, I think our job will never stop. I don't know which minister it was, but we initiated a target of reducing workplace injuries, and we have reduced lost-time injuries by 20%. That's a good start, but I think we have a lot more work to do. Like I said before, until we reach that zero number, I don't think we should rest. I think people from all three sides of this House would agree that we should aim for that zero number. We should all work together to ensure that we don't see any injuries or loss of life as a result of workplace injuries. Thank you very much for letting me make this presentation.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate? It being almost 5:35, I'll now be putting the question. Mr. Hampton has moved opposition day motion number 3. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

I believe the ayes have it.

Call in the members. There will be a 10-minute bell.

*The division bells rang from 1735 to 1745.*

**The Acting Speaker (Ms. Andrea Horwath):** All those in favour, please rise and be recorded by the Clerk.

#### Ayes

Bisson, Gilles	Hampton, Howard	Miller, Paul
DiNovo, Cheri	Kormos, Peter	Prue, Michael
Gélinas, France	Marchese, Rosario	Tabuns, Peter

**The Acting Speaker (Ms. Andrea Horwath):** All those opposed, please rise and be recorded by the Clerk.

#### Nays

Aggelonitis, Sophia	Flynn, Kevin Daniel	Phillips, Gerry
Albanese, Laura	Gerretsen, John	Qaadri, Shafiq
Arnott, Ted	Hoy, Pat	Ramal, Khalil
Bailey, Robert	Jaczek, Helena	Rinaldi, Lou
Balkissoon, Bas	Jeffrey, Linda	Sandals, Liz
Bartolucci, Rick	Leal, Jeff	Sergio, Mario
Bentley, Christopher	Mangat, Amrit	Shurman, Peter
Brotten, Laurel C.	Martiniuk, Gerry	Smith, Monique
Bryant, Michael	McMeekin, Ted	Smitherman, George
Caplan, David	McNeely, Phil	Sousa, Charles
Carroll, Aileen	Miller, Norm	Takhar, Harinder S.
Colle, Mike	Mitchell, Carol	Van Bommel, Maria
Craiton, Kim	Moridi, Reza	Watson, Jim
Delaney, Bob	Munro, Julia	Wilkinson, John
Dhillon, Vic	Naqvi, Yasir	Yakubski, John
Dickson, Joe	O'Toole, John	Zimmer, David
Duguid, Brad	Oraziotti, David	

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 9; the nays are 50.

**The Acting Speaker (Ms. Andrea Horwath):** I declare this motion lost.

*Negated.*

#### ROYAL ASSENT

#### SANCTION ROYALE

**The Acting Speaker (Ms. Andrea Horwath):** I beg to inform the House that in the name of Her Majesty the Queen, His Honour the Lieutenant Governor has been pleased to assent to certain bills in his office.

**The Deputy Clerk (Mr. Todd Decker):** The following are the titles of the bills to which His Honour did assent:

Bill 12, An Act to amend the Vital Statistics Act in relation to adoption information and to make consequential amendments to the Child and Family Services Act / Projet de loi 12, Loi modifiant la Loi sur les statistiques de l'état civil en ce qui a trait aux renseignements sur les adoptions et apportant des modifications corrélatives à la Loi sur les services à l'enfance et à la famille.

Bill 35, An Act to authorize the Minister of Finance to make payments to eligible recipients out of money appropriated by the Legislature and to amend the Fiscal Transparency and Accountability Act, 2004, the Ministry of Treasury and Economics Act and the Treasury Board Act, 1991 / Projet de loi 35, Loi autorisant le ministre des Finances à faire des versements aux bénéficiaires admissibles sur les crédits affectés par la Législature et



modifiant la Loi de 2004 sur la transparence et la responsabilité financières, la Loi sur le ministère du Trésor et de l'Économie et la Loi de 1991 sur le Conseil du Trésor.

Bill 44, An Act respecting Budget measures, interim appropriations and other matters / Projet de loi 44, Loi

concernant les mesures budgétaires, l'affectation anticipée de crédits et d'autres questions.

**The Acting Speaker (Ms. Andrea Horwath):** This House now stands adjourned until Thursday morning at 9 o'clock, on May 15.

*The House adjourned at 1748.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.  
Speaker / Président: Hon. / L'hon. Steve Peters  
Clerk / Greffière: Deborah Deller  
Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum  
Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Aggelonitis, Sophia (L)	Hamilton Mountain	
Albanese, Laura (L)	York South–Weston / York-Sud–Weston	
<b>Arnott, Ted (PC)</b>	Wellington–Halton Hills	First Deputy Chair of the committee of the whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Arthurs, Wayne (L)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (L)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (L)</b>	Sudbury	Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
<b>Bentley, Hon. / L'hon. Christopher (L)</b>	London West / London-Ouest	Attorney General / procureur general
Berardinetti, Lorenzo (L)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (L)</b>	Scarborough–Guildwood	Minister of Health Promotion / ministre de la Promotion de la santé
Bisson, Gilles (ND)	Timmins–James Bay / Timmins–Baie James	
<b>Bradley, Hon. / L'hon. James J. (L)</b>	St. Catharines	Minister of Transportation / ministre des Transports
Broten, Laurel C. (L)	Etobicoke–Lakeshore	
Brown, Michael A. (L)	Algoma–Manitoulin	
Brownell, Jim (L)	Stormont–Dundas–South Glengarry	
<b>Bryant, Hon. / L'hon. Michael (L)</b>	St. Paul's	Minister of Aboriginal Affairs, government House leader / ministre des Affaires autochtones, leader parlementaire du gouvernement
<b>Cansfield, Hon. / L'hon. Donna H. (L)</b>	Etobicoke Centre / Etobicoke-Centre	Minister of Natural Resources / ministre des Richesses naturelles
<b>Caplan, Hon. / L'hon. David (L)</b>	Don Valley East / Don Valley-Est	Minister of Public Infrastructure Renewal / ministre du Renouvellement de l'infrastructure publique
<b>Carroll, Hon. / L'hon. M. Aileen (L)</b>	Barrie	Minister of Culture, minister responsible for seniors / ministre de la Culture, ministre déléguée aux Affaires des personnes âgées
<b>Chan, Hon. / L'hon. Michael (L)</b>	Markham–Unionville	Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration
Chudleigh, Ted (PC)	Halton	
Colle, Mike (L)	Eglinton–Lawrence	
Craitor, Kim (L)	Niagara Falls	
<b>Crozier, Bruce (L)</b>	Essex	Deputy Speaker, Chair of the committee of the whole House / Vice- Président, Président du Comité plénier de l'Assemblée législative
Delaney, Bob (L)	Mississauga–Streetsville	
Dhillon, Vic (L)	Brampton West / Brampton-Ouest	
Dickson, Joe (L)	Ajax–Pickering	
DiNovo, Cheri (ND)	Parkdale–High Park	
<b>Dombrowsky, Hon. / L'hon. Leona (L)</b>	Prince Edward–Hastings	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
<b>Duguid, Hon. / L'hon. Brad (L)</b>	Scarborough Centre / Scarborough-Centre	Minister of Labour / ministre du Travail
<b>Duncan, Hon. / L'hon. Dwight (L)</b>	Windsor–Tecumseh	Minister of Finance, Chair of the Management Board of Cabinet ministre des Finances, président du Conseil de gestion du gouvernement
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	



Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Flynn, Kevin Daniel (L)	Oakville	
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Gélinas, France (ND)	Nickel Belt	
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## Legislative Assembly of Ontario

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## Assemblée législative de l'Ontario

Première session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Thursday 15 May 2008

Jeudi 15 mai 2008

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 15 May 2008

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 15 mai 2008

*The House met at 0900.  
Prayers.*

## ORDERS OF THE DAY

### ONTARIO FRENCH-LANGUAGE EDUCATIONAL COMMUNICATIONS AUTHORITY ACT, 2008

### LOI DE 2008 SUR L'OFFICE DES TÉLÉCOMMUNICATIONS ÉDUCATIVES DE LANGUE FRANÇAISE DE L'ONTARIO

Resuming the debate adjourned on May 5, 2008, on the motion for second reading of Bill 55, An Act to enact the Ontario French-language Educational Communications Authority Act, 2008 and make complementary amendments to the Ontario Educational Communications Authority Act / Projet de loi 55, Loi édictant la Loi de 2008 sur l'Office des télécommunications éducatives de langue française de l'Ontario et apportant des modifications complémentaires à la Loi sur l'Office de la télécommunication éducative de l'Ontario.

**The Speaker (Hon. Steve Peters):** Further debate?

**Mr. Robert W. Runciman:** I appreciate the opportunity to participate in this debate on Bill 55, which, as I understand it, in essence is creating a stand-alone network to serve Franco-Ontarians.

Je suis un étudiant de français. Je ne suis pas un bon étudiant, mais je fais un effort. I'm not going to deliver my speech in français, but to suggest that we're not supportive of that community in this province would be totally incorrect.

Obviously we, on this side of the House, are fiscal conservatives. To put some points on the record with respect to the expenditures involved here, I gather, would be appropriate. I want to contrast it with what I consider to be some shortcomings and some areas that could stand to be improved in terms of TVO coverage and its linkages with TFO.

For some time, going back to the late 1980s, I've been a very strong advocate of increased and improved coverage of what goes on in this place, its committees, with the opposition parties, with private members' legislation—all the host of, I think, very interesting and in some cases complex and involved matters we deal with on a daily and a weekly basis as members of this Legislature.

TVO and TFO are arms, if you will, of the Ministry of Education—an education network; that's what it's all

about. I recall, going back many years ago—I won't mention the union, but they were having a lobby day at Queen's Park. There were a couple of folks from my riding, and they met with me for half an hour and discussed their issues. Then I asked them if they'd like to go in and watch question period. I gave them a couple of passes and they came in—I was in the third party at that point in my political life.

They came out after question period—these were ladies in their 40s—smiling from ear to ear. They thoroughly enjoyed themselves and said, “We didn't realize this happened in Toronto; we thought it only happened in Ottawa.” These were individuals who had been in the working world for 20 years, had gone through the Ontario educational system and were representing their fellow workers in a lobby day at Queen's Park, but didn't appreciate or didn't understand or didn't realize that we have a question period in the Ontario Legislature. That sort of elevated my concern with the coverage we get in this place.

If you fast-forward to today, we know what's happening with the decline in membership in the press gallery here. I was talking this week to Richard Brennan, who was here to see his daughter graduate as part of the Queen's Park security service. Rick, as some of you will recall, was also known as the Badger around this place—a very aggressive and, in many respects, fun-loving member of the press gallery at Queen's Park. He's now president of the press gallery in Ottawa. He was telling me that they have over 400 members in the press gallery in Ottawa, covering everything from who's dating the Minister of Foreign Affairs to whatever the hot national topic of the day might be.

What happens in this place? We see reduction after reduction. CHCH moved their reporter out of here, and now we have Randy Rath, who is a cameraman—a great guy, but he's doing double duty. We see TVO closing their Queen's Park bureau, which really deeply offended me. This is an arm of the provincial government, an educational network. Ontarians have increasingly limited coverage of what goes on in here, and increasingly underappreciate the responsibilities, the workload, the challenges that face all 107 of us sitting in this place. We should all be concerned about this.

Going back to the late 1980s, when I chaired the Standing Committee on Government Agencies, a fellow by the name of Peter Herndorf was appointed by the Peterson government to chair TVO. During the review for his appointment, I asked him about the idea of TVO producing a show that focused solely on Queen's Park. I

used as a model a show I had watched for many years called *Inside Albany*, which is a PBS show covering affairs in the New York state Legislature. Mr. Herrndorf agreed with me; he thought it was a good idea and said he would pursue it.

To given him his due, he did pursue it. His answer was the Fourth Reading component of Studio 2, which was a very modest component, but it was helpful. It was helpful, but it was, what, a 15-minute or half-hour segment once a week? Mr. Herrndorf said afterward, "That's my answer to it," and I said, "Well, I appreciate what you've done, but it isn't what I feel should be done and hasn't been done over so many years." I contacted Lisa de Wilde, the new president or CEO—whatever her appropriate title is—of TVO, on a couple of occasions and have been spurned. Her answer is that this new show called *The Agenda* is the answer because they, on occasion, deal with provincial issues. Well, that's fine and dandy. *The Agenda* is an outstanding production, I don't think there's any doubt about that, but it's not what we need.

0910

What we need is a show that focuses solely on Queen's Park. I had the legislative library do a bit of research on this, looking at neighbouring jurisdictions. Virtually every other jurisdiction does something to cover the happenings in their state legislatures. We're alone in this. In fact, what TVO has done is quite the opposite: by closing down their Queen's Park bureau and losing Sue Kelley, who covered this place extremely effectively and is no longer employed by that agency of government.

I've talked about the coverage at the federal level and the inane topics that get unbelievably intensive coverage, while we are dealing with serious issues in this place. If you look at hospitals, if you look at the health care system, if you look at policing, if you look at education, primary, secondary, post-secondary—you can go down the laundry list—transportation, these are all provincial issues. We see this in our own constituency offices: the municipal government issues.

But we simply get very limited coverage or understanding of what's going on in this place. I think the Ministry of Education and the government have a significant role to play here and can do it through TFO and through TVO. Again, at the federal level, just look at the CBC politics show with Don Newman, and we've got Mike Duffy on a daily basis—these are daily shows—CPAC covering the federal scene in both French and English; and question period on CTV. There's intensive coverage of the happenings.

We have *Focus Ontario* once a week on Global. So that's it, folks. That's the kind of coverage. Maybe the government of the day appreciates that lack of coverage and lack of scrutiny of what they're doing, but I don't think it's appropriate.

And I don't think it's appropriate for this arm of government, this arm of the Ministry of Education, not to fulfill its mandate with respect to what's going on in this place. I think it's an obligation. If you look at the monies

going into the establishment of a stand-alone TFO network, I've heard the number of \$15 million being circulated. If that's wrong, someone can correct the record later.

**Mr. Ted Chudleigh:** I think it's \$60 million.

**Mr. Robert W. Runciman:** It's \$60 million?

**Mr. Ted Chudleigh:** Yes, I think—

**Mr. Robert W. Runciman:** That's a significant amount of money. I'm not minimizing the impact on the Franco-Ontarian community, but we know the viewership. I've seen these numbers over the years. All of us who have taken a look at those viewership numbers know they are relatively modest numbers; so \$60 million for a relatively modest number of viewers, versus ignoring what's going on in this chamber for year after year, and in fact, even diminishing it further by closing their Queen's Park bureau.

It's a slap in the face to Ontarians; it's a slap in the face to all of us sitting in this place. It really is. We know how we've downgraded our roles in this place over the years—all governments have been responsible for that—diminishing ourselves, and here we're doing more of the same by allowing TVO and TFO to walk away from this place, to join the mainstream media in walking away from this place, and minimizing coverage of very important decisions and very important consultations: Look at the committee work in this place, look at the roles of individual members, the kind of workload that individual members take on in this place, and the accomplishments of individual members, which get no recognition at all.

I'm pleading with the government members here to raise this issue with their Premier and with the Minister of Education. I sent a note to the Premier some time ago, prior to the budget actually, saying, "Here's an opportunity to put a reference into the budget with respect to TVO," and funding TVO, or requiring through the transfers that go to TVO now, saying that we want a production that's going to solely cover Queen's Park. They have the ability to do it.

Let's face it: If you're finding \$60 million to create a stand-alone network, you can find enough money to produce a weekly half-hour television show—*Inside Queen's Park*, or whatever you want to call it—that covers the happenings in this place.

I think that all of you should consider this a non-partisan issue. I've been an advocate for streaming of the proceedings on the Internet, and I want to compliment the Speaker for moving very quickly on this. I don't think I'm spilling the beans or anything, but the Board of Internal Economy approved funding for that yesterday. So that is going to happen, and that is going to somewhat improve the ability of Ontarians to find out what is going on in this place. But we know that Rogers has moved access to coverage of this place up into the sky, and Star Choice and many others don't even cover Queen's Park or make it available in terms of access to their network.

**Ms. Laurie Scott:** Star Choice does.

**Mr. Robert W. Runciman:** Star choice does?

**Ms. Laurie Scott:** Bell doesn't.



**Mr. Robert W. Runciman:** Bell doesn't. Again, I think this is worthy of our consideration. It's worthy of us moving ahead on this and requiring—we have the ability, especially the government, obviously. You control the purse strings; you appoint the head of TVO.

I'm encouraging the members to take a serious look at this. This is a non-partisan issue. It should be a non-partisan concern about giving Ontarians a better opportunity to understand the role we play in this place: the debates, the discussions and the consultations. I think it would help us in terms of gaining a better understanding, in our own ridings and throughout the province, of the role we play and the serious issues we have to deal with on a weekly and daily basis.

I'll wrap up my comments with that. We are supporting the legislation. We obviously have some concerns about the decisions being taken at TVO and the failure to really, in my view, fulfill its education mandate with respect to this place, and we encourage them to do just that.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Ms. Laurie Scott:** It's a pleasure to rise and comment on the great oratory we've just heard from the member for Leeds—Grenville; he puts out a lot of good points. We should be educating people more on what goes on in the Legislature. Our role has been diminished over the years, and we need to re-establish that in the public's eye. They need to see what we do here to engage them. It also helps us do our job a lot better. It is frustrating when there is less and less coverage of the Legislature. People at home really don't know what we do; the difference between MPs, MPPs and municipal politicians gets confused all the time.

We're not helping ourselves or the democratic process by diminishing any coverage that exists here. I know that when I first got elected to the Legislature, my mother wanted to watch at home—I was kind of discouraging that for the first while. We had to change satellite companies in order to get coverage so she could watch the legislative channel. She makes sure I'm at work when I'm supposed to be and probably watches more than the average person at home.

Since 2003, I've seen the diminishing of coverage of the Legislature, and I don't think that does anybody any good. The member from Leeds—Grenville made good points: This should not be a partisan issue; TVO/TFO is an arm of the government.

It was a big loss for Susanna Kelley to go. I remember when the Frost centre suddenly closed under the Liberal government. She helped all of us—the member from Peterborough, all parties—in getting that Frost centre up and going. She did a series. She went up to the Frost centre, to the riding of Haliburton—Kawartha Lakes—Brock, and to Parry Sound—Muskoka—we just about there. She covered that. She educated people. She helped us get the public on board. We've seen a great success story of FCI, with Al Aubry taking that over, educating youths, not only from this country, but internationally, on the import-

ance of environmental sustainability. That's a success story that TVO helped us bring forward to the public. I hope the government reconsiders that.

0920

**M<sup>me</sup> Laurel C. Broten:** C'était très intéressant d'écouter le membre de Leeds—Grenville. La seule difficulté est que les débats aujourd'hui regardaient le futur de TFO, le programme francophone, qui est très important pour les familles franco-ontariennes, pour accélérer et avoir une avenue pour regarder et écouter des programmes francophones pour nos enfants et pour le système d'éducation en français.

Alors le débat est centré dans le domaine de TVO et le futur de TFO, ce qui est quelque chose de très différent d'un TFO indépendant. C'est quelque chose que je crois est très important d'exprimer pour les gens qui demeurent dans ma circonscription d'Etobicoke—Lakeshore qui prennent avantage d'une école francophone. On a beaucoup de gens dans notre communauté qui sont dans un milieu anglophone et essaient d'avoir des enfants et une famille francophone, francophile et franco-ontarienne. Alors c'est quelque chose où on doit mettre un effort pour s'assurer que nos enfants et les générations de l'avenir vont être francophones ici dans une province où on a une histoire bilingue.

Pour moi, encore aujourd'hui, je donne mon appui à un TFO indépendant et j'espère que tous ceux dans la législature vont aussi donner leur appui. Je remercie le membre de Leeds—Grenville de dire qu'il veut donner son appui, et j'espère qu'on va pouvoir filer en direct à chaque famille en Ontario, un TFO indépendant dans les jours qui viennent.

**The Acting Speaker (Mr. Jim Wilson):** Further questions and/or comments? Seeing none, the member from Leeds—Grenville has up to two minutes to respond.

**Mr. Robert W. Runciman:** I appreciate the interventions. The member for Haliburton—Kawartha Lakes—Brock hit a good note when she talked about constituents not understanding the different roles and responsibilities of MPs and MPPs. If we want to be honest about that, we in our constituency offices bump into that every week. I think it reinforces the point I'm making that TVO and TFO, as educational networks, have a responsibility here, in my view, to better inform Ontarians, starting with the educational system, of just how the provincial government operates, the roles and responsibilities of their MPP and the challenges, the legislation, how a committee works. All of those things can only benefit the people of this province, especially the young Ontarians who are currently in the education system. Again, I encourage the government members to take this seriously, to encourage their Minister of Education and their Premier to take this seriously and to undertake an initiative to ensure that TVO and TFO produce programs that will cover solely the happenings and responsibilities and undertakings of this great historic assembly.

**The Acting Speaker (Mr. Jim Wilson):** Thank you for your contribution to the debate. Further debate?



**Mr. Peter Shurman:** I had the occasion to do the lead-off speech on this particular piece of legislation, and I'd like to take this opportunity—

**Hon. David Caplan:** No, you can't speak again.

**Mr. Peter Shurman:** I can speak again on this, can't I?

**The Acting Speaker (Mr. Jim Wilson):** I guess you can't, no. Sorry, I didn't know you had spoken before. Further debate?

**Mr. John O'Toole:** I think the member from Leeds–Grenville said most of what we wanted put on the record. The member from Haliburton–Kawartha Lakes–Brock also mentioned the importance of that voice for Ontario and the francophone community and its challenge with respect to the whole issue around assimilation. I think it's important to strengthen it.

My understanding is that most of the organizational changes that are recommended in Bill 55 indeed have happened and this is just an affirmation of what has actually gone on. TFO already has its own board of directors, an office in Toronto and manages its own budget of \$23 million per year. The total operating budget includes provincial funding combined with federal funding and revenues from cable subscribers. This is in place. It's a matter of formalizing and strengthening it.

If I want to talk in a sincere tone, like the member for Leeds–Grenville, who summarized pretty well how I feel about the bill, since the province is one of the partners in a non-commercial station, we should have a presence here at Queen's Park. The province of Ontario, the people of Ontario, the voice for Ontario: the unifying effects all transcend and happen right here in the dynamics of an opposition and a government and third party. In that, I can say that Susanna Kelley was actually a very sincere and genuine reporter who I thought did a very commendable job. Now, Steve Paikin, that's a whole other story, a whole other level. He's at the level of CNN. The best program on television, in my humble opinion, is *The Agenda*. That program is the most informative program on television for Ontarians and Canadians, and I commend it to anyone listening to this parliamentary channel. You might be wasting your time; if you want some real content, you should be listening to *The Agenda* with Steve Paikin. The producers of that show have a continuous blog, as well. It's a very interactive learning and dynamic channel in that respect.

I hope they have the same luxury of content in the French-language format. I would hope to engage people. I belong to the francophone committee here at Queen's Park to learn. Like most people, I don't have enough vocabulary. I understand general themes, but it's by listening and participating—and I'd encourage anyone, especially the young pages here. If you have one, two or more languages, so much the better. Having a second language is like having a degree; it's that valuable. So take advantage. Some of you may be in French immersion or in French-language schools, and so much the better; and whatever other languages in a global economy.

That brings me back to the fundamental premise of my comments today in support of TFO. The reason I say that

is that Mr. Runciman was right. As our leader here, he wasn't being critical of the station; he was critical of pulling out the anchor of this whole place. We have our parliamentary network, which may not be widely subscribed to. In fact, when Rogers reconfigured their cable service packages, I had to get another package to be able to get the parliamentary channels. I enjoy CPAC and other dialogue programming, and that's what I'm trying to say is important for the francophone community as well. We wouldn't be opposed to that. I think there is some discussion in things I've read, and I have some notes here which—perhaps some wish that I would stick to the notes.

**Interjection:** No, you're doing a great job.

**Mr. John O'Toole:** Actually, I'm waiting for one of our caucus adviser groups to tell me where this is going to go in committee before we stop talking about it.

I still go back to some of the important issues. I thought Steve Paikin's *Agenda* program on the 60th anniversary of the state of Israel and Palestine was phenomenal. They presented in a most professional, balanced and fair way, a very complex, often emotional and certainly very sensitive issue. You couldn't read and learn as much as they presented in the series of programs that Steve Paikin and his producers put together.

In fact, I'd go so far as to say I have some very good friends who are from the—my sister actually was married to a Jewish fellow. He, unfortunately, passed away within the past year. She's very integrated into that community. I said to her it's the most balanced program I have watched. There is a highly emotional debate in that whole discussion, but it's a lesson to all, as we become such a cosmopolitan or multicultural community in Ontario, and in fact in our country and globally: Where are the boundaries, where are the limits, where are the tolerances, and where are the thresholds?

0930

We're talking about a country that ostensibly is officially bilingual. I'm from the generation where that wasn't as advanced. In fact, I would say that even when our children were starting school and they had French immersion programs, it was rather shaky whether or not they would continue. So I would have put my oldest boy into French immersion, but it just wasn't quite on solid footing. He ended up going to the Royal Military College where, to graduate, you had to be functionally bilingual. So it was unfortunate that he hadn't had that background.

But I have a number of members of the family—in fact my first grandchild is now in a French immersion program. She just immigrated from Australia. So here's a young child who's three, four years old, whose first three or four years of her life were in Australia, which is a different language entirely.

**Mr. Ted Chudleigh:** Does she speak the language?

**Mr. John O'Toole:** She speaks Australian. Mr. Chudleigh, don't get me into trouble.

What I'm trying to say is that the world as we live in and inhabit is getting smaller. We must become more tolerant and understanding. TFO and TFO serve a func-



tion of educating us, thereby expunging ignorance and encouraging understanding. It's a responsible position.

I would say that if you look at the background, in June 2006, Minister Papatello oversaw the overhaul of TVO, with revamping of programming and conversion into a digital format and preparing to turn French-language TFO into a separate entity. According to a *Globe and Mail* article, on June 30, 2006, "The new content, to be rolled out over the next 15 months, is aligned with the Ministry of Education's priorities and follows a strategic review done at the request of the government."

So the government is hands-on trying to, in a policy way, direct this transformation of TFO, giving it a bit more strength and independence. At the time, our leader, John Tory, told reporters that "The cancellation of Studio 2 seems like an attempt to line up the political policies of the government with the editorial policies of TVO". This is the issue when governments actually start interfering, which has been talked about with the Caledonia issue, that the Minister of Aboriginal Affairs and the Attorney General could perhaps be involved in influencing things. We don't want that.

Some of the best programming is BBC. It's like TVO. It's high-class programming. Maybe some people don't like Coronation Street—I don't, but a lot of people do. But there is a lot of really good, global content. That is one of the global channels that I watch, because one of my daughters lives and teaches in London, England. I have another daughter who actually lives in the Isle of Man, which is in the Irish Sea, and she's taking her master's degree in England, at some school in England. It's not an executive MBA, it's a full MBA. I think it's an MBA or MPA, I'm not sure which, really.

My point is that I watch the programs because even there, when we talk to them, it's the importance of these mediums, it's so important to understand. When we talk to them on the weekends—a week ago, my daughter, the one from Isle of Man, was vacationing in Switzerland, and it's interesting—

**Mr. John Yakabuski:** You've got to be kidding me.

**Mr. John O'Toole:** Yes, she—

**Mr. John Yakabuski:** How did she like Switzerland?

**Mr. John O'Toole:** She did, she loved it.

**Mr. Robert W. Runciman:** Does she speak the language?

**Mr. John O'Toole:** Yes, in fact, she does speak a bit of French.

She was on Skype, and we were speaking to her from Italy on Skype on the computer, and in the background were the Alps. Do you understand? It's quite incredible when you think of the how small the world is getting. She was sending pictures of their trip through—they were staying in Geneva at the time so it's—I could go on.

The main reason I'm standing up here is that I've been given information that it appears we have all-party consent to have this go to a committee. I'm glad to see that TVO and TFO are progressing well, and that the French language and community are strong and strengthened in our community.

**The Acting Speaker (Mr. Ted Arnott):** Questions and/or comments?

**Mr. John Yakabuski:** It's certainly a pleasure to follow my esteemed colleague from Durham on some of his chatting and, how would I say, evaluations of not only the bill but the general human condition, you might say. He raises some very interesting points about the value of TVO today and questions why the McGuinty government would be yanking it from the precinct here—it's just unbelievable—and why the McGuinty government wouldn't have stood up and said no when those cable companies were yanking the legislative channel from basic cable. Now you've got to get a digital box in order to watch the legislative channel. I know my colleague talked about how much he enjoyed watching the Canadian Parliamentary Channel, but now he has to upgrade his cable package in order to get the legislative channel. Believe it or not—and I know a lot of those Liberals would wonder why—there are some people who actually want to watch this channel, because they find it interesting.

The other thing is—and I'd like to point this out about the legislative channel itself—why isn't the McGuinty government doing something to put pressure on Bell ExpressVu, for example, to bring that channel to people in rural Ontario? Bell ExpressVu, believe it or not, while it covers the Saskatchewan legislative channel, doesn't carry the legislative channel from the most populous, most prosperous province in the country, the one with the most important Legislature, the one that we serve in Ontario. Why is the government not doing something to pressure Bell to put that channel on ExpressVu?

**Mrs. Liz Sandals:** I'm really not quite sure what all this chit-chat is about regarding decisions made by Rogers Cable. I too am frustrated by the decision by Rogers Cable that you have to get a box to watch the legislative channel, but that has nothing to do with TFO. What is true of TFO is that it's on the mainstream cable service. It's a wonderful service to francophones in Ontario and it's particularly a wonderful educational service. I was actually just talking to page Isabelle Love's mother, who happens to be here to visit today. Isabelle's mom happens to be a principal in a French-language school in Ontario, and we were just chatting about what a valuable service TFO is for francophone students in Ontario.

This is an important bill. It's an important bill for the francophone community in Ontario. I hope we'll have people's support, and we need to get on with voting.

**Mr. Ted Chudleigh:** It's interesting that the member for Leeds–Grenville talked about the lack of coverage in this place. When we look at how government touches the people of Ontario most—is it the federal government where there are 400 members of the press gallery, or is it the Ontario Legislature that has a shrinking number from the press gallery?—the provincial government covers health, which touches people all too often; it covers education, which touches people daily; it covers major roads, bridges and construction of major thoroughfares, which touches everybody every day.



None of these things is covered by the federal government. People are hard-pressed to name one thing that the federal government does that touches their lives on a daily, weekly or even monthly basis, other than collecting income tax. They run the major courts, which don't touch individuals in Ontario on a daily or monthly basis, or perhaps in a lifetime. Most Ontarians who obey the law, who go to work and come home to their family every night are not touched by the courts.

Yet the federal government takes two thirds of your pay envelope in tax dollars. When you see that tax deduction, some of it comes to the province of Ontario but about two thirds of it goes to the federal government, yet they don't touch the lives of Ontarians in the same way the Ontario Legislature does. That's why I think it's a great shame that TVO and TFO don't have the kinds of coverage of this place that they should have, keeping the people of Ontario informed of how the majority of their tax dollars are spent in this province.

0940

**M. Phil McNeely:** Je suis très fier de voir que la Loi 55 est devant nous. Ça va beaucoup aider les francophones de l'Ontario, surtout pour moi avec 35 % à 40 % des francophones dans notre circonscription d'Ottawa-Orléans. Je suis très fier que notre gouvernement marche de l'avant avec la Loi 55.

Une chose qui est très importante, c'est que les distances en Ontario sont très grandes pour les francophones, surtout dans l'ouest et dans le nord. On est plus chanceux à Ottawa. On a à peu près 150 000 francophones dans nos trois circonscriptions : celle de la ministre Meilleur, de Jean-Marc Lalonde et moi-même.

Pour l'autre partie de l'Ontario, c'est très important pour l'éducation et la culture pour que les francophones aient de meilleures manières de communiquer. Je vois que l'office pour créer des programmes d'enseignement à distance est très important. On a eu ça à Orléans, le programme a commencé dans le nord et ça marche très bien avec ces programmes-là.

Alors, plus d'argent pour ces programmes va aider beaucoup les francophones : pour l'éducation et pour la culture. Ça va être très important pour avoir une francophonie plus forte dans notre province.

**The Acting Speaker (Mr. Jim Wilson):** The honourable member from Durham has up to two minutes to respond.

**Mr. John O'Toole:** It's very encouraging how the debate was awakened. All of a sudden, it's taken on a bit of life—to show the interest in this legislation.

I think the key point made by a number of speakers was the importance of the parliamentary channel itself. I know we're talking about TFO, and that's important. But in that whole discussion of the communications function, a number of points have been made about expanding that. TFO and TVO and CPAC and the legislative channels, in a nutshell, summarize the important functions that are going on here, whether it's health care, education, the environment—the next bill to be discussed is the Cosmetic Pesticides Ban Act, Bill 64.

For the people of Ontario to really engage, at whatever level they wish, whatever age they are, with the transformations in globalization and agriculture—all of these things are important. And in more languages, not less; and in more opportunities, not less. Rogers, as well as the parliamentary channel here, should be scolded for not putting that stuff out there so people can choose to watch good-content television. In fact, it's meaningful content and it's educational content. It breeds tolerance and acceptance through education. Ignorance is the enemy that we often deal with on important issues. But I commend the government for formalizing this.

There are a couple of points, just in a technical sense, while I conclude. The Lieutenant Governor in Council appoints the chief executive officer for a term of five years and can reappoint him. So there's the potential for political appointments here, which is often troubling. But qualified people who should go through the agencies, boards and commissions—I'm in support, in that respect.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

Seeing none, Mr. Bryant has moved second reading of Bill 55. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**The Acting Speaker (Mr. Jim Wilson):** Shall the bill be ordered for third reading?

**Hon. David Caplan:** I would ask that the bill be referred to the Standing Committee on Finance and Economic Affairs.

**The Acting Speaker (Mr. Jim Wilson):** Agreed? Agreed.

## COSMETIC PESTICIDES BAN ACT, 2008

### LOI DE 2008 SUR L'INTERDICTION DES PESTICIDES UTILISÉS À DES FINS ESTHÉTIQUES

Resuming the debate adjourned on May 12, 2008, on the motion for second reading of Bill 64, An Act to amend the Pesticides Act to prohibit the use and sale of pesticides that may be used for cosmetic purposes / Projet de loi 64, Loi modifiant la Loi sur les pesticides en vue d'interdire l'usage et la vente de pesticides pouvant être utilisés à des fins esthétiques.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. John Yakabuski:** I didn't realize we were the first ones up to debate this. Normally, I thought it would be—

**Mr. John O'Toole:** It's supposed to be the NDP.

**Mr. John Yakabuski:** Okay. Well, we're here. No problem.

I recall when this issue came up during the provincial election of 2007, and the Liberals were saying they were going to ban pesticide use across the province, etc. Of course, I was asked, "Well, how do you feel about banning pesticides across the province?" What I basically



said was, "Based on what?" Based on the science that has determined that pesticides should be banned? No, we don't have that.

What we've got is a party that's looking for a political wedge any way it can get one, so they decided they were going to take the stand that they were going to ban the cosmetic use of pesticides across the province of Ontario, which, depending on your numbers, accounts for between 4% and 6% of all the pesticides used in Ontario. They're going to ban the cosmetic use of pesticides on the lawns of homes and businesses in the province of Ontario—the lawn here at Queen's Park.

I must tell you that I've got an interesting little letter here. I thank my colleague Sylvia Jones from Dufferin-Caledon for getting this. We asked the people at the precinct—I won't name names, because that would be unfair, although the name is here:

"Sylvia:

"You asked me to find the answer to the following question: What pesticides, insecticides, herbicides and lawn care fertilizers are used at the Legislative Assembly of Ontario?"

The answer came back, "I spoke with" so-and-so "at precinct properties." So-and-so "provided the following response.

"We have used no chemicals on the front lawn of the Legislative Assembly of Ontario for the past six years. That is why there are so many weeds on the front lawn. If you look at legislative buildings around the world, the lawns look beautiful because they use pesticides. We didn't use chemicals, and this is why our lawn is in terrible shape."

That came from a staff member here at the legislative precinct. Interesting stuff.

The one thing we do know we're going to get with a pesticide ban is a lot of weeds, and some of those weeds have been proven, not because Rick Smith from the environmental people says so, but because it has been proven by health professionals, to cause tremendous allergic reactions for people, and some can actually cause toxic reactions in people.

I'll tell you one thing: If this ban goes through, you might want to get to your stockbroker or call E\*Trade Canada for that \$9 trade, or whatever it is, and buy a lot of stock in the people who make Reactine or Benadryl or any of those kinds of things, because the allergies in this province are going to be over the top. Everybody who suffers a little bit from allergies is going to be over the top. Then the McGuinty government is going to have to make some kind of excuse why everybody is walking around sniffing or choking or gagging or whatever. There are tremendous allergic reactions to a lot of natural substances in the environment, and that's one of the reasons that pesticides were ever asked for.

While I'm at it, I don't think there are enough people in this House, so I like to call for a quorum count, if I could.

**The Acting Speaker (Mr. Jim Wilson):** Do we have a quorum?

**The Clerk-at-the-Table (Ms. Lisa Freedman):** A quorum is present, Speaker.

**The Acting Speaker (Mr. Jim Wilson):** Continue the debate.

**Mr. John Yakabuski:** You just never know where those Liberals are going to appear from. I think a couple got out from underneath their desks. Anyway, back to the issue.

0950

**Hon. David Caplan:** On a point of order, Mr. Speaker: Where is the official opposition? There's only one member here.

**The Acting Speaker (Mr. Jim Wilson):** That is not a point of order. We're not to refer to the absence or attendance of members.

The honourable member from Renfrew-Nipissing-Pembroke has the floor.

**Mr. John Yakabuski:** You know, that minister's a cagey one. He'll do anything to steal some of my time.

We want to talk about the science. We go down a fairly slippery slope when we base legislation on politics, as opposed to science. If you're using that precautionary principle, if you asked somebody on the street, or tell them, or say to them, or you raise the issue, and they haven't done a whole lot of research themselves—I mean, people out there are very busy, they're trying to earn money, to make a living, support their families, whatever. They take some of this stuff at face value. They don't do a whole lot of investigation on that, because they're too busy. But the McGuinty government seems to have time to sit down with all of its stakeholders, the ones that they know they need—they want their support and they'll do anything to get it, to keep getting them elected. They'll base legislation on politics, as opposed to science. They did it with the greenbelt; they did it with the Endangered Species Act—and that's coming back to have some real detrimental effects on some of our forestry people. I hope the government addresses that, but I'm quite certain they won't.

They base these things on politics. If you said to the average person—and we'll just use a name, take a name out of the hat: "Do you know what, Mr. Leal? Those pesticides that people are using, and that are being sold, they're bad. They shouldn't use them. We have proof. We're not going to show it, we can't produce it, but we have proof that they're bad." If that person is asked that question in a poll, "What do you think about a pesticide ban?" they're going to say, "You know what? I've heard those things are bad. I've heard that we have to get rid of them. We have to protect our children. They can't be rolling on the front lawn, where pesticides have been used"—even if they've been used three weeks earlier and the rain has washed them in and blah, blah, blah. "You can't have that use." I know that I would make sure at any time—my kids are old enough now that I think they can probably make that judgment themselves. But if they were younger, I'd make sure that if I sprayed my lawn, they wouldn't be anywhere around it for several days, at least as many days as Health Canada—which has



approved these substances—would recommend that we not allow human contact, or pets, or otherwise. But no, the McGuinty government throws out that big scare. The reaction—not the Reactine—of people is going to be, “Hey, yeah, let’s err on the side of caution.” But the unintended consequence, or the unexpected consequence, for the public is what they’re not considering: what things are going to look like in five or 10 years.

Then the McGuinty government says, “We think these things are terrible and you shouldn’t have your children rolling around on the lawn when there are pesticides. However, if you don’t mind if your little four-year-old likes to hang on to your putter, or get you your tees on the golf course, no problem; take him out there. If he wants to roll around on the greens or on the fairways, that’s a great idea—some time for fathers and sons.” Oh, did I tell you? The golf course is exempt from the pesticide ban. So the McGuinty principles, again, always seem to be sort of like a teeter-totter: They’re up, they’re down; this way and that way, variable like the weather. So, “It’s okay, we’re not going to protect your children if they’re frolicking on the 18th green at Glen Abbey. We’re just going to tell you that we’re not going to let you put that weed killer on the lawn at home.” So we’re not going to take the kids to the golf course anymore.

I’m going to call up Uncle Joe and say, “I want the kids to get good, country-fresh air. I’m going to bring the kids out to your farm, Joe.” What could be more healthy, Mr. Speaker, than taking the kids to the farm? Oh, did I tell you—I may have missed that—that the farm is exempt from the pesticide ban? Goodness gracious me, don’t take the kids to the farm. They could come in contact with the pesticides. My goodness, now I can’t take the kids to the farm.

Do you know where I would be able to take my kids here in Toronto? No, they’re too old, but if they were between the ages of 9 and 15, I’d be able to take them to a graffiti school—that kind of activity. We can’t take them to the farm any more. Pesticides, so the McGuinty government says—bad for them. Can’t take them to the golf course—pesticides. Do you know what we can do, though? We can take them to a graffiti school here in Toronto where they can learn how to spray-paint graffiti on buildings. And they’re spending \$350,000 to teach that to kids. Excuse me, when I think about that I get a headache, so I’m going to ask for some water.

The slippery slope. What happened a couple of weeks ago? The Premier and the environment minister had a bit of a tiff.

**Interjection:** No.

**Mr. John Yakabuski:** Oh, yeah. Dalton and John weren’t kissing cousins that day. No, no, no. Because you see, what happened was that apparently either the Premier or the Minister of the Environment didn’t know what they had actually written in this bill. They got themselves kind of caught, which they do quite often, but I’ll tell you one thing: They are very good at wiggling out of things.

**Ms. Laurie Scott:** Professional squirmers.

**Mr. John Yakabuski:** Oh, they are the best squirmers you’ve ever seen.

They couldn’t seem to agree as to whether municipalities could have a tougher ban than this. The Premier and the environment minister seemed to contradict one another. Our understanding is—and of course these things happen behind closed doors. It’s like, if my wife and I have a disagreement—you can rest assured, she will win every one of them—they tend to happen behind closed doors. The Premier and the environment minister had that. We’ve heard rumours. Rumours are that the environment minister was, as we used to say back home, taken out to the woodshed. Yes, had to get a little education—a little education with the hames strap. Apparently he’s been whipped back into shape and is on board now. And whenever he sees it looks like the Premier is going to open his mouth, his automatically closes. It’s just like two coordinated robots. There is the environment minister and his mouth is open. The Premier shows up and his lips twitch a little bit, and the environment minister’s mouth closes, because he does not want to be caught contradicting the boss.

**Mr. Bob Delaney:** On a point of order, Mr. Speaker: Standing order 23(h) prohibits the making of allegations and the imputing of motives toward another member.

**The Speaker (Hon. Steve Peters):** I’ve listened carefully to what the honourable member’s been saying in this debate and I think his debate is appropriate. Carry on.

**Mr. John Yakabuski:** Thank you very much, Mr. Speaker. I would request that I get some time from the honourable member from Mississauga–Streetsville when he’s speaking. He’s almost as persistent as the Minister of Public Infrastructure Renewal—almost.

Industry is very concerned about this bill, because they’ve never really been consulted on it. They’ve never been asked for their input. The McGuinty government wants to ban these products because they see this as a vote getter, not as a health issue. That’s really a cynical way to operate the province.

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Anything the government does should be justifiable from a scientific point of view, not because they see there’s a constituency out there that, without giving a whole lot of regard to the meat of the matter, will say, “Hey, you know what? If they ban them, then we’re not taking any chance that they might be bad; we’re just going to get rid of them.” We’ve got little science that says that these pesticides, approved by Health Canada, are detrimental. I’m not suggesting that you fill the barrel in the backyard and wash your hair in it, but used as directed by Health Canada, we’re told they’re completely safe. The natural inclination for people is to say, “Well, if there’s a chance, let’s err on the side of caution.”

Do you know where we do have science? We do have science—and even the member for Peterborough has agreed with me on this many times—on smoking tobacco. There is no debate any longer about the dangers of smoking—absolutely. The member for Peterborough and



I agree on that 100%. I don't think there's a person in Ontario who would disagree that the proof is out there that tobacco is detrimental. It has been proven a hundred times, a thousand times, a million times. Yet does the government say, "We're going to ban tobacco"? No, no; nay, not so. Do you know why? Even though they're not getting as much revenue as they should because they're not doing anything about the illegal contraband tobacco that is being sold in the province, they still get billions in revenue from people smoking in the province of Ontario.

They talk about the environment. One thing the fellow in precinct properties here says is that we're going to have one heck of a mess on the lawn. We already have it; it's just going to get worse. Do you know what's going to happen? There are a lot of things you can do about weed control. One of them is to get out there on your hands and knees.

My yard is about an acre and a half, and I ain't getting out there on my hands and knees—although the member from Ajax-Pickering, I think it is, would suggest that I spend more time on my hands and knees, or at least on my knees, particularly praying for him. I know he makes that suggestion all the time. But I'm not going to be doing that on that one-and-a-half-acre lot.

**Interjection:** Why not?

**Mr. John Yakabuski:** Because it's just too big and I'm getting too old. It might work on a little postage-stamp lot like some here in the city of Toronto where the lawn's not very big, but it's a little hard in the country.

But there are ways you can control them. If you're not going to get out there and pick the weeds, dig them out or whatever, a lot of people will also opt to—you know what we can do? When we cut the grass more often, the weeds are there, but they don't show. So we could—

*Interjections.*

**Mr. John Yakabuski:** Would the member for Peterborough agree that we should cut the grass more often, maybe?

**Mr. Jeff Leal:** I pay my son 20 cents a dandelion.

**Mr. John Yakabuski:** The member for Peterborough is paying his son 20 cents a dandelion. I'll tell you what: I'll bring my son to Peterborough, and he'll do it for you next week.

But the member for Peterborough agrees that you could cut your lawn more often. So we cut the grass more often. What does that do? Well, that just gets more of those very inefficient small engines puffing out more fumes into our environment. So now we have a bill where we're worried about the environment, we're worried about health, and now we're going to have people who are out there more often with the little lawn mower cutting that grass because they can't stand the sight of it. They can't put anything on it. Or we could hire a goat or we could hire the member for Peterborough's son, who, for 20 cents a dandelion, will take care of your lawn.

I can't believe that I'm out of time. There's so much to be talked about here. I'd like another opportunity. If I could get unanimous consent for more time, I'd appreciate it.

**The Acting Speaker (Mr. Jim Wilson):** Are you asking for unanimous consent? Do we have unanimous consent to give—

**Interjection:** No.

**The Acting Speaker (Mr. Jim Wilson):** No. That idea didn't go too far.

Questions or comments?

**Ms. Andrea Horwath:** It's my pleasure to make a few remarks on the speech that was just delivered so eloquently by the member for Renfrew-Nipissing-Pembroke.

I have to say that there is no doubt that it's long past time for the province of Ontario to deal with the pesticide issue. We know that municipalities have been far ahead of the game when it comes to dealing with cosmetic pesticides in communities across the province. My own community has been dealing with putting bylaws in place around pesticide use, and successfully did so a couple of years ago. The reality is that the municipal sector is the sector that has been far and away the lead on this particular file.

It's very anguishing, then, for municipalities to realize that when the province finally catches up to the game, when the province finally gets the picture that this is an important issue for Ontarians, they put a bill together that basically says that even though municipalities were in the game far in advance—they had been on the ball on this issue, they had been leading the charge, if you will—if municipalities have pesticide bans that are more stringent or list more types of chemicals or pesticides in their bylaws, their bylaws no longer are usable. They have to go to the lowest common denominator, which will be set out here in this legislation. I think that's actually inappropriate, and I'd hope that when this bill is finished its debate at second reading it goes to committee and the government would consider some amendments that would give the municipal sector the respect and the due they deserve and take out that odious clause that prevents municipalities from getting ahead of the game on pesticide issue.

**Mr. Kevin Daniel Flynn:** It's a pleasure to join the debate and to pass some comment on the remarks of the member for Renfrew-Nipissing-Pembroke. Certainly, I think there was some wisdom in the words that he put out today for our consideration, but the problem is, it sounded like a speech from the 1950s or the 1960s. The attitude that we used to have toward pesticides and chemicals in our society is one that I think was fairly portrayed by the member there.

Certainly, times have changed. Society's attitude toward these pesticides has changed, and what Ontarians are asking for now is equal protection. A person in Renfrew or Nipissing and, of course, Oakville—

**Mr. Jeff Leal:** Barry's Bay.

**Mr. Kevin Daniel Flynn:** —or Barry's Bay should have the same protection as everybody else in Ontario when it comes to pesticide reduction.

What we've brought forward, we think, based on overwhelming positive public response, is a bill that is



very balanced. Should it meet the favour of the House, should it move forward, certainly if there are suggestions that are to be made by municipalities along the way, I know our government is open to hearing those things. If you look at it on balance, what it does and what I think is a major improvement over any other municipal bylaw in the province—we should thank the municipalities that had the foresight and the courage to move ahead in the first place in this regard and implement bylaws of their own in the absence of any provincial response from previous governments—is the fact that the province has the ability to ban the sale of pesticides. Municipalities never had that option, never had that ability. Certainly that, by default, makes the provincial law much stronger than any municipal law that's in effect without taking anything away from those communities that have had the courage to step forward on this issue.

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**The Acting Speaker (Mr. Jim Wilson):** Further questions and comments?

**Mr. Ernie Hardeman:** Mr. Speaker, I want to thank you for the opportunity to speak to the fine presentation made on this pesticide-ban law by my good friend from Renfrew–Nipissing–Pembroke. He made a couple of very important points that I think warrant reinforcing. One deals with the member from Oakville's comments about being equal to everyone, that everyone deserves equal treatment. If there's science to back up this piece of legislation, then equal treatment would mean there would be no exemptions in it, because obviously if you can spray it in one place and you can't spray it somewhere else, that's not equal and fair. If there's a science-based risk here, then obviously the elimination of that should be equal to everyone. I would be as protected on the golf course as I am in my backyard, and that doesn't seem to be what this law is doing.

I'm sure the member on the government side will produce the evidence, shall we say, the science base for this legislation, so we can make a decision based on whether it should be banned across the board or banned nowhere. I think that's a very important part.

The other part I just wanted to talk about was the difference in lawn sizes in rural Ontario. Obviously it's going to be very difficult to deal with the large areas that are presently being cut and used as lawns and the adjacent pastures or fields right beside them. If we can't control the weeds on large lawns—and the member from Peterborough suggested that we can pull all these weeds out by hand—if we can't control those weeds on this large acreage around buildings, we can't control them on the rest of our farms, and we have to spray more there.

I think much more work needs to be done on this legislation.

**Mr. Paul Miller:** There are some oversights in Bill 64, and hopefully the bill won't get shot down, like all our opposition bills do, in committee, even though they are good bills that we bring forward.

Our municipalities have taken the leadership role in pesticide control. The communities have done the heavy

lifting on this legislation. This bill needs some amendments that will be dealt with at committee. We, as team players, support this bill and legislation with the proper adjustments. We should not cancel out all the good work that municipalities have done in this province.

**The Acting Speaker (Mr. Jim Wilson):** The honourable member from Renfrew–Nipissing–Pembroke has up to two minutes to respond.

**Mr. John Yakabuski:** I appreciate the comments from the members for Hamilton Centre, Oakville, Oxford and Hamilton East–Stoney Creek and their input on the bill.

In two minutes I can't get back into everything, but clearly the science—the member for Oakville talked about attitudes changing. There's no question about it: Things should be based on science, and I want to talk about the agricultural industry when I wrap up.

One of the reasons agriculture is exempt is because this government knows that if we don't have pesticide use in our agricultural industry, we can't produce food. It's as simple as that. We cannot produce the amount of food we need.

I used to be in the hardware business. We sold products for home and garden use: pesticides, insecticides etc. Up in the Barry's Bay area, everybody got a little bit of garden. One of the things they plant, along with many other things, is potatoes. When the potato bugs roll in in the second half of the summer, if you don't treat those plants, you don't have any potatoes. It's as simple as that. The bugs are just wild. They're just rampant, the way they attack potato plants. So if you don't have some way of dealing with them, you don't have potatoes. Under this proposed legislation, all of these people who have a little garden are actually going to have to be licensed to get a pesticide or get a farmer's licence to have a little bit of garden, a small plot of garden just around their home, which is very common in rural Ontario.

The government needs to send this to committee. We've got to talk to people, not just base things on politics.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Paul Miller:** Mr. Speaker, I'll be sharing my time with the honourable member from Hamilton Centre.

New Democrats are pleased to be able to speak to the legislation, which aims at implementing a provincial ban on the sale and application of pesticides for aesthetic purposes. This legislation is long overdue, and given the time the McGuinty government has had to observe the leadership role of the municipalities, many of which have already implemented bans on the application of pesticides for aesthetic purposes, we would have liked to have seen the legislation introduced with a few more of the kinks worked out with amendments. But this is what the committee process is for, and New Democrats look forward to hearing from environment and public health groups as we move forward in ensuring the legislation is strong and enforceable.

Before offering our perspective on the bill's shortcomings, which we'll aim to address in committee, I



think it's important to discuss how we have finally arrived at this legislation.

The proposed provincial pesticide ban in context: When it comes to pesticide bans, it is extremely important that we acknowledge the leadership of Ontario's municipalities for their efforts in this area. We owe municipal leaders and the numerous community activists across this province and across the country a great deal of thanks for their tireless work to bring the debate on pesticides to Queen's Park. It is important to acknowledge that they have done the heavy lifting on banning the aesthetic use of pesticides in Ontario. Yet while the provincial government talks glowingly about the efforts of our municipal partners, why is it that the proposed legislation takes away their ability to continue their efforts?

We know pesticides kill indiscriminately, and it's estimated that only 5% actually reach their targets due to incautious application. The World Health Organization estimates that 200,000 people are killed worldwide each year—up from 30,000 in 1990—and another three million people are poisoned annually by pesticides, many of them children. So when we know of these dangers and of the leadership provided by our municipal partners on this issue, and because it's clear that the province is a late-comer to the dance, why would the McGuinty government bring forward a law that cancels out existing municipal bylaws? Environmental and health groups want this section removed, and New Democrats concur.

As stated earlier, in the case of banning pesticides, it is the municipalities who have led while the province followed, and the community activists are rightly concerned that the legislation as written will needlessly tie the hands of municipalities in taking future action with respect to pesticide use within their respective jurisdictions. For example, it could be the case that a municipality might want to ban the use of pesticides on golf courses. They would not be allowed to take such action under the bill as written. Having the province set a standard which must be met across the province is welcome, but only if the municipalities who in the future may wish to introduce a stricter standard are still able to do so.

The province can't talk about treating municipalities as equal partners, and then once again turn around and strip them of their jurisdictional powers to regulate their local environment regarding pesticides. Municipalities have been leaders in the area of protecting their citizens from pesticides and they should be allowed to continue in this vein. This bill needs some doctoring before it actually is put into law.

**Ms. Andrea Horwath:** It's my pleasure to take a few minutes to participate in the debate.

It's not surprising, I think, that there is a pesticide bill in front of us. I say that because all of us recognize that the municipal sector has been very active on these issues for quite some time. So it's not a surprise, it's not a shock and it's not in anyway difficult to understand why eventually so many municipalities have undertaken this work and that the province finally got the eureka moment that

they needed to put something together to deal with this, as it is an ongoing and significant issue around the province. Municipalities have, in fact, taken on the responsibility for the protection of the health and well-being of people living within their municipal borders when it comes to exposure to the toxins that are present in pesticides that are freely and openly used and marketed here in Ontario.

**1020**

This government's response to that grassroots movement that has taken place in a number of municipalities is to come up with this bill we're debating today, Bill 64, the cosmetic pesticide use bill. I'm certainly one who would say that I'm glad it's finally here. We're definitely pleased that the government has seen fit to do the right thing and, although coming late to the dance, finally getting here and putting before legislators a bill that would seek to address some of the ongoing concerns out there around the use of pesticides in municipalities and in every community across the province.

It's interesting, though. Where does this come from? When I say it comes from the grassroots, in Hamilton, the community I live in, the city council has been very active on this file. It's come from a couple of places—certainly the environmental movement. We have some great environmental activists in Hamilton. We have Environment Hamilton, run by Lynda Lukasik and Brenda Johnson; the Conservator Society; Friends of the Red Hill Valley; a number of different community-based activist groups that are always pushing the envelope, which is what needs to happen. In fact, I really believe that we wouldn't have a number of significant pieces of legislation or bills around, or anything at all, some of these environmental areas if it wasn't for the grassroots activists, the people in communities who become aware and raise awareness of legislators at every level and push and push and make sure that the issue stays on the front burner and not the back burner.

In many cities, including mine, this issue has been bubbling on the front burner for quite some time. Bylaws exist, but everyone knows that a big challenge is the raising of awareness, the education, and bringing people along and getting that commitment to happen.

I can remember when debates and discussions first started around pesticide use in my own community. There were a significant number of people who were skeptical, I guess I would say, not quite sure whether it was that big a deal: "Our lawns need to look picture-perfect, postcard-perfect, so we need to use pesticides." These were the kinds of discussions and reactions that were initially on the table at the community level when the pesticide ban was being considered.

There were also discussions around golf courses and sports fields, concerns about kids going over on their ankles if the fields weren't maintained, and the theory that the only thing that would maintain those fields was the regular application of pesticides on the playing surfaces. A couple of years have gone by, solutions have been found and changes have been made. The sky hasn't



fallen, but what has happened is that we've made our environment less toxic, particularly for those people who are more vulnerable to the effects of exposure to the various toxins that make up these kinds of pesticides.

The reality is that young children who are playing in sports fields—which ironically was the one place where people were adamant that they didn't think the ban should apply—are close to the ground, have smaller organs, smaller bodies, so the absorption of these toxins by a smaller person, a child particularly, would have a much more significant impact. It's very obvious that young children would be much more negatively affected than anyone else when it comes to pesticide use.

We also know that people who already have health concerns—people with asthma, senior citizens who sometimes have respiratory or breathing problems or other kinds of ailments—also would be more likely to be negatively affected by the use of pesticides.

There's no doubt that this bill will have great benefits. That is why many, many municipalities have already gone the extra mile, had the public debate at the local level, and dealt with all of the issues coming up. Again, it's probably safe to say that in most communities where there is a municipal bylaw dealing with the application of cosmetic pesticides, it is likely that grassroots community organizations and environmental organizations will have made that effort to not only educate the councillors, but to bring the public on as well.

It's interesting as well, because most of those organizations are volunteer-based. They don't have a lot of money. They don't have a lot of grants or operating funds, and they certainly don't have scads and scads of staff. They don't have that kind of infrastructure, if you will.

But darn it, those people really do deserve a great deal of thanks and respect from people like us. They fight in the trenches on these issues, they do the research on their own, and they do it on a volunteer basis. They do it out of passion and belief in the issues that they are tackling, whether it's cosmetic use of pesticides or whether it's one that came up recently at the public accounts committee—the issue of hazardous waste.

We were dealing with the auditor's report and the hazardous waste section of that report, which spoke to the ministry's lack of ability to track hazardous waste from the place where it's generated through the transportation process into the landfill site. At some point, there is a weight that's taken at the beginning of that process, and at the end of the process when the load gets to the dump or to the landfill site, the hazardous waste-land fill site, there is not as much weight. So somewhere between point A and point B, there was quite a possibility that hazardous waste was being lost or had gone missing.

Through the process of that committee, we learned about the systems, or lack thereof, that are in place. One of the things that I became aware of was, again, the fight that is being undertaken by a number of grassroots-based community environmentalists who are looking to other jurisdictions that have jumped ahead of where we are

here in Ontario. So just like the McGuinty Liberal government didn't have this on their radar, it took municipalities to take the leadership role, often based on community activism. Not dissimilarly, community activists are saying there are lots of places where the McGuinty government needs to pull up its socks in terms of the environment and environmental issues. I know my colleague who is our environment critic is often critical of the government for its lack of action on a climate change plan, for example.

Going back to the public accounts committee, I was surprised to know that other jurisdictions are quite wide open and transparent about the companies that are generating toxins. They have a website that's publicly accessible, which lists and shows quite clearly—for free—the companies that are producing toxins in the States. This is just south of the border, in the States. Their registry of toxin producers is as clear as a bell. It's there for everyone to see. In Ontario, on the other hand, you have to pay a fee to be able to have access to information about toxin producers.

It seems to me that control of pesticide use in this bill in particular, Bill 64, is definitely a step in the right direction. It's unfortunate that the government has decided in their—I don't know why and I'm really hoping, as my colleague from Hamilton East-Stoney Creek, Paul Miller said—New Democrats really are hoping—that after this bill finishes second reading and goes to committee, we will be hearing from many grassroots environmentalists, as well as municipal representatives.

#### 1030

I certainly don't want to prejudge, but I suspect that we will have people coming to committee, to the public hearings, who will say, "Get rid of that clause in the bill that says that where municipalities have standards that are greater than the ones included in Bill 64, those standards will not apply; only the standards in Bill 64 will apply." I think that's a problem, and I think that's an issue we can probably overcome.

I'm hopeful that the government will see fit to acknowledge, respect and support the work of grassroots environmentalists and municipalities that have gone further than this province is prepared to go and will acknowledge that some municipalities are going to continue to take a leadership role and this bill shouldn't squelch that leadership role. This bill should support and encourage municipalities and communities to stay vigilant on the environmental file, to keep pushing, if you will, because the reality is, that's the only way that positive change will occur. I would really urge this government to please consider seriously getting rid of that clause, because it sends a wrong message on a number of levels.

I have to say, I think it was embarrassing for the Premier when he said one thing and the minister was saying something else and there was a whole bunch of confusion. Lo and behold, we found out that the Premier was incorrect in what he was indicating was in the bill. I think a lot of people are quite disappointed. They would have preferred that things were the way that Dalton McGuinty



thought they were. Hopefully, between that and the public hearings, when we hear from the community and from municipalities and others—I believe that at the end of the day it will only do us better as a province and do municipalities better as communities where people live and raise their children and work and engage in civil society—it will only help to have that clause removed and give the community and the municipalities the due that they deserve in terms of their ability to set higher standards, to require greater protection of the public. It's never a wrong thing to make sure that the health and well-being of young children and of people who are frail, people who have breathing problems—asthma and other kinds of respiratory concerns—are protected.

It's amazing the number of things that we now, at this point in time—we had the people dealing with cancers yesterday. The things that we now acknowledge and recognize that cause cancer or are directly related to the possibility of cancer being developed: 15, 20, 25 years ago, a lot of that—bisphenol A is one that very recently, in the last little while, has been banned in terms of its potential for causing cancer. Our environment is something that we really need to pay significant attention to, because if we don't—and this is what that message was yesterday for those MPPs who had the opportunity to hear from the people who were here. It's a matter of saying that we will certainly, at the end of the day, be in a much better position if we can control and end, as much as possible, the things that cause diseases like cancer. If we can't necessarily cure cancer, there have been great strides as well in the way that different types of cancers are managed. But the reality is, why don't we spend that money, why don't we spend that energy, why don't we make that effort in making sure that the things to which we are exposing ourselves and our children and all the people in this province and in this country—to get rid of those potentially dangerous exposures. Then you won't end up getting the kinds of cancers, or we'll start reducing the kinds of cancers that are prevalent in our society today, and a lot of pain and anguish of families and individuals will be reduced.

Yes, that means things like the cosmetic use of pesticides. But it also means a toxin reduction strategy that is forward-thinking and quickly implemented. I know that there is some kind of process that's going to take maybe the next year or so before it goes onto the Environmental Bill of Rights, the posting for the feedback. All of that is necessary, but let's make sure that we're staying on top of these files. Whether it's pesticide reduction, whether it's toxic substance reduction in our environment over all, it's really our obligation to ourselves, to our children, to their children, to make sure that we are maintaining the health and safety and well-being of people in our province. If that's not our job, our obligation, our responsibility, I don't know what is. I look forward to the government making sure this bill is stronger and not weaker.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Mrs. Maria Van Bommel:** I'm certainly listening with great attention and interest to this debate. I think

there have been a few things that need to be clarified in this.

I certainly was interested to hear that someone seems to think that all farm properties are exempt, including the farm lawn, and that taking your kids to the farm is not a good thing to do. I happen to live on a farm, a very active, working farm. There is no exemption for my lawn. My lawn and my neighbour's lawn are being treated the same as our city cousins. We are not going to be able to spray our lawns either. I think that's proper.

I have 12 grandchildren who live within 20 minutes of the farm. They come to play there. I don't want to see them exposed to pesticides either.

Now, as a working farm, of course, we have an integrated pest management plan. My husband is licensed to use pesticides. He knows at what time they should be used and he knows the quantity. There is no concern, as a farmer, that there would be overuse. Anyone who understands the cost of these pesticides understands the reasons why farmers are very careful in how they use them and when they use them. It's a necessary and essential use of a pesticide. But nevertheless, it's not going to be on my lawn.

In terms of what do we do instead—the member for Peterborough talked about his son going out and pulling the dandelions—I might also suggest that you use more grass seed. Amazingly, grass does choke out weeds. So in the spring, Rene and I, before we roll our lawn, we put on more grass seed. It's not hard to do.

We use mulch around the trees. We have a tree that falls, we get it mulched, we put it around the other trees. There's nothing that can't be done naturally that we—

**The Acting Speaker (Mr. Jim Wilson):** Thank you. Further questions and comments?

**Mr. John O'Toole:** I'm always pleased to participate and respond. The NDP are always passionate about these issues. I just caution members: Let's not get carried away. Bill 64 is one page. This bill here is one page. A lot of fuss being made about it; we don't know what they're talking about. Actually, the Premier, when he introduced the bill, had no clue. His minister standing beside him? No clue. The point is, this bill is all in regulation. Section 7.1 is being added.

*Interjections.*

**Mr. John O'Toole:** Let's be careful now, don't get too emotional.

It's all in regulation. We won't know until the regulations are established. I read—or am understanding—that Roundup, one of the most invasive products, may not be banned. So we don't know.

It is the right thing. It's sort of like motherhood and apple pie. It's all good. We support the idea. The problem here is that some of the exemptions simply don't make sense. I have to laugh. This is the problem. We have a feel-good type of government.

This is an article from the paper. It's not me saying it, it's not John Tory saying it. Here's what it says: "So it's fine to use the pesticides on crops we're going to eat, but not fine to use them on our gardens." That's in the St. Catharines Standard on April 26.



You have to wonder what the goal here is because all this material is regulated federally by Health and Welfare Canada. The province and the municipalities are all sticking their finger in the apple pie here. We need to get the regulations out. We need to have the Premier and the minister tell us exactly what the goal is here.

How come you're exempting golf courses? The ground runoff runs into the streams. You've got to look at this thing. I'm suspicious. I'm going to speak later on this bill.

1040

**Ms. Cheri DiNovo:** It's a pleasure to speak, if only for a couple of minutes, on this bill. First of all, as my colleagues have said, with great insight and great research to back them up, this is a bill that actually does less to ban cosmetic pesticides than what's already in place, for example, in a city like Toronto. It's set against a backdrop, I must say, of inaction on the entire environmental file. Here we have an environment minister who has not come forward with a climate change plan, which has been promised. We know about the travesty that accompanied the coal-fired plants, where they were promised to be shut down—what was it, 2007, and now 2011, or whenever; also, a government that's planning on putting \$40 billion to \$50 billion into nuclear reactors and that refuses to uphold the Kyoto protocol.

Again, we've called on them to do all of this. Instead, what do they do? They bring forward a very small bill here, a bill to ban cosmetic pesticides, when the city of Toronto already has stronger legislation in place that this would conceivably pre-empt, unless they do something about that particular clause.

Set against a background of inaction on the environment file, which is truly a sad commentary—a government that said that they were going to be proactive on this and have not been. No Kyoto protocol—

*Interjection.*

**Ms. Cheri DiNovo:** I'm being heckled by the Minister of the Environment, but he knows as well as I do: no action on the Kyoto protocol, no action on climate change, and yet a rush to nuclear reactors, to the tune of \$40 to \$50 billion. One has to hope that those nuclear reactors are not built in your backyard—whoever's listening to this—and certainly if you are listening to this, I would write in about that issue, if not any of the other issues that we've spoken to at great length in this House.

Again, it's a pleasure to speak to this bill. I wish it was stronger. I wish they had an environmental plan.

**Mr. Bas Balkissoon:** I'm pleased to join in on this debate on the Cosmetic Pesticides Ban Act. To be honest, this piece of legislation is long, long overdue. To give you a little bit of background, I got elected to municipal council some 20 years ago, and I know municipalities have been talking about this for a long time. But the bureaucracy used to always advise the elected officials that the sale and use of pesticides within a municipality is not within the council's realm of mandate to ban. We have to credit the municipality of Hudson, Quebec, because they ignored that bureaucratic advice and decided to pass a bylaw, which eventually went to court and the court ruled in favour of the municipality.

What is happening now is that a domino effect has taken place throughout Canada. I have to say that, as a member of Toronto council previously, it was difficult to accept this ban within the confines of the city of Toronto, because it was difficult to picture how you could ban it within a municipality yet it was available for sale at all the stores, including the municipality next door. I have to say, as a member of Toronto council, we did it. It did work.

What this government is doing today is going to strengthen that particular ban by municipalities, in fact, because the actual sale of these cosmetic pesticides will not be available in the stores anymore. So home use of it will definitely be controlled. I think if you speak to the experts in the medical field, they'll tell you that that was the biggest concern, the home use of—

**The Acting Speaker (Mr. Jim Wilson):** Thank you. The member for Hamilton Centre has up to two minutes to respond.

**Ms. Andrea Horwath:** I want to thank the members from Lambton-Kent-Middlesex, Durham, Parkdale-High Park and Scarborough-Rouge River for their comments on the remarks of my colleague Paul Miller and myself regarding Bill 64.

It's interesting, because one of the things that the member from Lambton-Kent-Middlesex talked about is the fact that we can use natural means to control weeds, and that's something that we all need to become more educated about. Having said that, it's interesting to note that in my own community, just adjacent to where my riding ends, is a producer, a manufacturer of pesticides. Interestingly, that manufacturer had a fire, and as a result of that fire, a creek nearby was contaminated with toxic runoff and a number of fish were killed. The reality is that the surrounding neighbourhood continues to this day to be quite concerned, because not only were the fish killed, but there have been rippling effects on the ecosystem around Spencer Creek since that fire took place.

So it's not only a matter of getting rid of the pesticides that we are using in a cosmetic way, but we also need to take a real hard look at where the manufacturing of some of these chemicals takes place. In this particular situation, these chemicals are manufactured right on a water system, on a creek that feeds into other water tables in the area. It's in a residential neighbourhood—literally right in a residential neighbourhood—and the impacts from not only the ongoing production but the possibility of a spill or a fire are significant and deadly.

**The Speaker (Hon. Steve Peters):** The time for debate has ended.

*Second reading debate deemed adjourned.*

## INTRODUCTION OF VISITORS

**The Speaker (Hon. Steve Peters):** I'd like to take this opportunity to introduce a number of guests to the Legislature today.

On behalf of the member from Durham: Mr. Gary Cooke, past chair of Community Living Ontario.



On behalf of the member from Guelph: Richard Sandals, her son; Allison Dawes, her daughter; and William Dawes, her grandson, will be visiting this afternoon.

On behalf of the member from Parkdale–High Park: John Paterson, Sylvia Paterson and son Teddy Paterson, in the Speaker's gallery today.

On behalf of page Vanessa Chiarello: Augusto Chiarello, her father; Michael Chiarello, her brother; Vincenza Chiarello, her mother, in the west members' gallery.

On behalf of page Mikaela Henderson: Holly Henderson, her mother, in the east members' gallery.

On behalf of page Matthew Chaput: Audrey Chaput, his mother; and Norah Chaput, his sister, in the east members' gallery.

On behalf of page Hannah Jansen: Ellen Jansen, her sister; Colin Jansen, her brother; Val Millson, her mother; and Steve Jansen, her father, in the public galleries.

On behalf of page Isabelle Love: Linda Love, her mother; Chris Love, her father; Sebastien Love, her brother; Oliver Love, her brother; Rose Love, her grandmother, in the west members' gallery.

On behalf of page Thomas Parker: John Parker, his grandfather; Margaret Parker, his grandmother; Emily Parker, his sister; Michelle Parker, his mother; Alison Parker, his sister; Megan Durkin, a friend; Chris Parker, his brother; and Al Parker, his father, in the east members' gallery.

On behalf of the Minister of Community and Social Services, I'd like to take this opportunity to welcome the representatives of Community Living Ontario and Community Living Toronto, as well as community living agents, self-advocates and clients who are present today throughout the galleries.

On behalf of the member from Toronto Centre: in the east gallery, as part of the Community Living delegation, we'd like to welcome Jim and Dianne Turner here today.

On behalf of the member from St. Paul's, we'd like to welcome, in the east members' gallery, Elijah Harper, former Manitoba MPP and MP. Welcome today.

We'd like to welcome Murad Velshi, member from Don Mills in the 34th Parliament.

To everyone who wasn't introduced today, welcome to Queen's Park.

## MEMBERS' COMMENTS

**The Speaker (Hon. Steve Peters):** On Thursday, May 8, the Leader of the Opposition raised a point of order during question period concerning comments that he said were being made over a period of time by members of the government benches which, he contended, were not accurate reflections of the policies of the official opposition.

The Leader of the Opposition indicated he would be writing to me to address this matter in more detail. I have now received his letter, and I thank him for that. In it, Mr. Runciman reiterates his concern that members of the government, when addressing the House, sometimes make reference to policies of his party in a manner which

he feels distorts them or, conversely, ascribes policies to the opposition which it does not have.

I hope the member will appreciate, and I think the undertone of his letter anticipates, that the Speaker is not really in a position to address what amounts to a difference of opinion between him and certain members of the government.

The Speaker does, though, have a role to maintain order and decorum in debate but cannot interject himself into the interplay of ideas that debate represents or attempt to referee the nuances or precision of everything that is said in the chamber. It is a given that all members are both assumed and expected to conduct themselves honourably, and I think it is sufficient for the Speaker to leave the matter at that.

1050

## ORAL QUESTIONS

### ONTARIO ECONOMY

**Mr. Robert W. Runciman:** I have a question for the Deputy Premier. It has to do with his government's inability to grasp the gravity of Ontario's economic situation, a crisis in many respects. Eleven hundred jobs lost at Dell in Ottawa, 300 at Sitel in Ottawa, 900 at GM in Oshawa, 325 at Quebecor, 1,400 at GM in Windsor, and today 27 in Cornwall—that's over 4,000 jobs in just two weeks. Four thousand people—that's the size of a small town, Deputy Premier—don't know how they're going to pay their mortgages, feed their families or put their kids through university. More and more people, on a daily basis, are becoming alarmed for their family's future.

Deputy Premier, your government's response seems to be to rearrange the deck chairs on the Titanic. Where's the sense of urgency? Where's the economic stimulus package that Ontario very clearly needs today?

**Hon. George Smitherman:** To the Minister of Finance.

**Hon. Dwight Duncan:** The economic stimulus package was voted on and approved yesterday by this House.

Let me remind the Leader of the Opposition: You voted against \$1.5 billion for skills training; you voted against investments in innovation that will create new jobs; you voted against a capital tax reduction that Ontario manufacturers will see this fall; you voted against partnership with the federal government; you voted against standing up for Ontario.

We laid out a plan that recognizes and begins to address the challenges in our economy that are portended by the world price of oil, by the state of the US economy and by the value of our dollar.

The McGuinty government has a plan; it has laid it out. It's a plan that works well. We need the federal Conservative government to stand up and protect Ontario the way we are, and we ask you to join us in that.

**Mr. Robert W. Runciman:** There's an old saying, "You don't have to be much of a musician to toot your



own horn," and that certainly applies to the Minister of Finance. His government talks about a five-point plan. The five points are "duck, dodge, dip, deny and defer."

These last two weeks have really laid bare the blinders this government has on when it comes to stimulating the economy. Throw \$235 million at GM, and GM throws 2,300 people out of work. Even if a small portion of that money that went to GM had gone to drop business taxes, it would have benefited all companies, big and small—saving jobs, creating jobs, encouraging investments.

Minister, your plan isn't working. You need to change your strategy. When are you going to come to your senses and do that?

**Hon. Dwight Duncan:** The Leader of the Opposition talks about the government wanting to talk about its plan. Let's hear what some other people say about the government's plan.

BMO, on May 12, reported this: "Job growth in Ontario has perked up to 2.2% in the past 12 months, above the national average and one of the strongest performances of the past four years."

In the meantime, the unemployment rate has actually dropped three tenths of a percentage point from a year ago—and by the way, it's down almost seven tenths of a point from when that member sat on the government side.

There is no question that sectors and individuals and families are facing a challenge. What the people of Ontario know is that they have a government in Ontario with a five-point plan. What we need is a federal partner. What we need is a federal government that will answer the call of Ontario's challenge. Stand up with us and help us convince them of the need to invest in Ontario—

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary.

**Mr. Robert W. Runciman:** As a member representing Windsor, a community that's been really hard hit by auto sector closures, I think the minister should have paid attention to quotes that I've put on the record here in the past two days from a senior official in the auto manufacturing area saying that Ontario has become one of the most expensive jurisdictions in the world in which to produce automobiles.

That's your responsibility, Minister. You've been sitting in government for almost five years now. This is not simply calling on the federal government. It has to do with your policies, with your taxation, with regulation, with the onerous burden you've placed on every business doing business in this province. That's your responsibility, which you have continuously, on a daily basis, declined to accept.

Shape up. Start doing your job. Bring in an economic stimulus package and do it today.

**Hon. Dwight Duncan:** The member opposite voted against the capital tax cut that manufacturers will see in November. The member opposite voted against the tourism stimulus package, including the new Casino Windsor initiative that will open next month. The member

opposite voted against getting Ford Motor Co. to invest in Windsor.

There is no question that there are challenges in our economy. The people of Ontario recognize that their government, the McGuinty government, has come to the plate with money for training and skills development, with money for automotive and other investments in next-generation jobs, with appropriate tax cuts, properly targeted, that will assist all sectors in all communities.

This government has a plan; it's implementing it. What we need is a federal government that will respond to Ontario's very real challenges today.

**Mr. Robert W. Runciman:** He continues to play the blame game as jobs leave this province.

## NATIVE LAND DISPUTE

**Mr. Robert W. Runciman:** My question is to the Deputy Premier regarding Six Nations Chief Montour's letter of April 29, thanking the Minister of Aboriginal Affairs for intervening with the OPP in Caledonia.

Today in the Hamilton Spectator, Chief Montour is quoted as saying, "I asked Minister Bryant if he had any influence on his fellow cabinet colleagues to look at ways we could relieve the situation." He was referring to the blockade in Caledonia.

Montour quotes Minister Bryant as saying, "Look Chief, you know I can't act directly with anyone, but I'll see who I can talk to and see if something can be done."

The minister said he would get involved, and the chief was left with the distinct impression that as a result of the minister's intervention, the OPP stood down.

Deputy Premier, will your government investigate what are clearly serious allegations?

**Hon. George Smitherman:** Minister of Aboriginal Affairs.

**Hon. Michael Bryant:** Chief Montour certainly didn't refer to any serious allegations. He referred to the efforts of the official opposition as a "witch hunt." Chief Montour is of the view that in fact there was a peaceful ending, that it was positive, that there were open lines of communication between the OPP and Six Nations leadership. Commissioner Fantino has indicated that everything proceeded exactly as it should and that he has never been a part of or associated with interference in any fashion.

I would repeat again what Commissioner Fantino said: "At no time during this event, or in relation to any police operation, did anyone in government or elsewhere tell the OPP to stand down or direct the operations of the OPP."

I'm sure that the member will accept the commissioner's word.

**Mr. Robert W. Runciman:** There's no question it is a hunt, but it's a hunt for the truth, and we're certainly not getting it from this government.

I have to say it's unbelievably inappropriate, when allegations are being made about a minister, in terms of his conduct, by a very credible individual in this province, that the question is referred to the individual in question. That is terribly, terribly inappropriate. How are



we going to get a straight answer with respect to whether or not there was interference with police decisions in this situation if the minister in question is having the questions referred to him? It boggles the mind.

Will the minister stand up and tell us who he did speak to, what was discussed, what else we are going to do? That's your position—you're referring everything to him. Get up and start answering some questions. Who did you talk to? What was discussed? Will you give us an independent investigation?

1100

**Hon. Michael Bryant:** The leader of the official opposition refers to Chief Montour as a very respected individual, and of course that's absolutely true, that's absolutely right, and I absolutely agree with him. I speak to Chief Montour on a very regular basis. I exchanged messages last night with him with respect to the new relationship fund that was established today, a very important fund that will allow the levelling of the playing field in discussions between governments and First Nations.

This very credible individual has referred to the efforts of the member, today and otherwise, in this House with respect to this issue as a witch hunt. So I would ask the member to take the word of the highly respected individual, Chief Montour, to take the word of the highly respected individual, Commissioner Fantino, and accept that everything happened exactly the way it ought to happen, and that at the end of the day, there was a peaceful resolution—

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary?

**Mr. Robert W. Runciman:** Not surprisingly, the minister again refused to answer the specific questions, and the questions raised by the chief in his letter. He assured the chief that he would get involved, he'd make some calls, he'd see if something could be done. We've asked him today to explain that, to explain what he said to the chief. He says the chief is a credible individual, and he's making some credible claims here that you have a responsibility to respond to. These are serious, serious allegations.

How many other times did the minister make a call to see if something could be done? Is that why we have had such lawlessness in Caledonia for the past two years?

If this government fails to commence an immediate and independent investigation into this matter, from here on, everything this government and the OPP do with respect to Caledonia is going to continue to fall under a cloud of suspicion. Will he call in an independent body to conduct an investigation and do it now?

**Hon. Michael Bryant:** Well, there we go. I think everybody heard loud and clear what the concern here is. It's not, in fact, that there were discussions between the government and the OPP, which did not take place; it's that somehow there have been peaceful results. It's that at the end of the weekend, as the member for Haldimand says, "There were no arrests in Caledonia. There were in Deseronto, but none in Caledonia."

There's been an independent investigation all right: It's called the Ipperwash inquiry. In the Ipperwash inquiry, there were findings and there were recommendations. Obviously one of the recommendations is that the police be independent. The Leader of the Opposition is absolutely wrong when he suggests that there has been any inappropriate contact between the government and the OPP. And who do I cite in support? I cite Chief Commissioner Julian Fantino, who says that at no time has there ever been interference. I will accept the word of Commissioner Fantino.

## AUTOMOTIVE INDUSTRY

**Mr. Howard Hampton:** My question is for the Deputy Premier. Three years ago, the McGuinty government, with much fanfare and thumping of the chest, announced a \$235-million provincial government investment in General Motors. At the time, the Minister of Economic Development said that General Motors committed to maintaining an average of 16,000 workers in the province. When asked what would happen if they failed those commitments, he said, "If they don't meet their commitments by way of our Beacon project contract, we will claw back any funds that won't meet those commitments."

Three years later, General Motors has laid off thousands. They're now below the 16,000-workforce limit that was set. Why did the McGuinty government cave to corporate pressure and fail to negotiate tough job guarantees in its agreement with General Motors?

**Hon. George Smitherman:** To the Minister of Economic Development and Trade.

**Hon. Sandra Pupatello:** I'm happy to once again stand up for the automotive sector in Ontario. What's very important for the member opposite to understand is, yes, there were guarantees in a contract signed with General Motors and the Ontario government. What this member should recognize is the historic success of General Motors in Ontario. In fact, even the number that was calculated, at 16,000, is a figure that is met by General Motors. There is not one of our Ontario automotive investment strategies signed with assemblers here in Ontario that is in breach of contract. Let me say this again: There is not one contract signed with the Ontario government that is in breach. We expect that our companies will be strong and will continue to be strong in Ontario, because the Ontario government is supportive of the automotive sector.

**Mr. Howard Hampton:** There's only one way that could be true: Either the 16,000-employee base that was set wasn't true or the McGuinty government is not insisting on that 16,000 base being met, because General Motors is now below 16,000 workers. But Ford committed to retaining 4,000 jobs in return for a \$100-million provincial government investment. At least that's what the freedom of information document says, which we released a couple of days ago. Ford has announced layoffs totalling 2,700 workers. Can you tell us what are the specific clawback provisions that Ford has to deal with,



should they fail to meet their job commitments, and when will the McGuinty government enforce those clawback issues?

**Hon. Sandra Pupatello:** I think it's very important to note that the member opposite, despite feigning support for auto workers across Ontario, has absolutely no relationship with them or he would know that General Motors has been in excess of 20,000 for these last five years. What matters is, when we make calculations with our automotive partners, we talk about long-term averages. It's important to note what we can control and what General Motors can control as it relates to sales of their vehicles.

It is very important to note that we stand behind our automotive companies. It's important because we know that there's a worldwide change in that economy, and we are there to support them. They have provided good jobs for Ontario historically, but I think it's fair to say that back, in 2000, this particular member made it very clear what his relationship was with the CAW membership: "We could blow our brains out trying to talk to these guys. It's not worth it."

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary.

**Mr. Howard Hampton:** The reality is this: I think there's something wrong when literally thousands of auto workers are being put out on the street at the same time that the McGuinty government has handed over \$400 million to companies, and the McGuinty government has said to people at the time that these jobs are guaranteed, that these jobs are going to be sustained.

Now, it seems to me that the McGuinty government had a choice. When you handed over \$400 million, you could have insisted on strong job guarantees and you could have insisted on some clawback provisions. Why, if the McGuinty government says it cares about these workers, didn't you insist on strong job guarantees, and why didn't you insist on clawback provisions to protect those workers from being laid off and being put out on the street?

**Hon. Sandra Pupatello:** Let me assure this House and all auto workers who work for all of our assemblers, this Ontario government stands behind the auto sector. It is what made our manufacturing sector strong and has fed the nation in its GDP output for decades, and just now, when they are under fire around the world, this is exactly when these folks need to see that there is a government that stands behind them and prepared to invest, as they will invest again.

We recognize more than most that we are having a challenging year. We recognize, too, that our investments are what will lead to a better automotive sector: more productive, more innovation, better technology and higher automation. These are going to be the things that see us through. When we speak about General Motors, Ford or Chrysler, we've been through tough times before. But I suggest that this member ask Buzz Hargrove—surely you've had time to talk to him since Monday—and ask him how he feels about the Ontario government's role. He who really speaks—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. New question.

1110

## MANUFACTURING JOBS

**Mr. Howard Hampton:** To the Deputy Premier: New Democrats simply believe that if the McGuinty government is going to make \$100-million investments in companies, you have a duty to the workers who work there to get some job guarantees that workers are in fact going to benefit. But what we've seen is the McGuinty government is handing out hundreds of millions of dollars with no job guarantees.

My question to the Deputy Premier: Can the Deputy Premier tell us how many other companies received provincial money and then turned around and announced job cuts, worker layoffs?

**Hon. George Smitherman:** To the Minister of Economic Development and Trade.

**Hon. Sandra Pupatello:** I think, or at least I would hope, that the member opposite has watched very carefully the kinds of programs that this government has come forward with in our entire first term, with a serious focus on manufacturing Ontario, understanding where our strength is and also recognizing the partnership with industry, as they face challenges that they have never seen aligned like this before: a very high price for a barrel of oil, a very high and strong Canadian dollar, and a weakening US market, where 80% of all of our products across sectors go to the United States. That means that when we step forward, it's to help our companies be innovative, be more productive and understand the world challenges that they face. That is where we have put our funding on the table: to help bring those investments that need more productivity to be more competitive. Does that mean that we're not still going to face challenges in these sectors? Of course it does. Any one of you who knows this sector would know that's the case. We will backstop our manufacturing sector, because we will be strong again. That is something I expect from opposition benches—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary?

**Mr. Howard Hampton:** I'm still waiting for an answer to the question, but let me help the minister out. In May 2007, she announced a \$2.5-million subsidized loan to Skyjack, a subsidiary of Linamar, another large multinational corporation. The minister said at the time: "We are partnering with Ontario's most innovative companies to generate new jobs and investment in the province." In December, Linamar announced that Skyjack would be laying off workers in Guelph. Last week, they announced that more workers at Skyjack were laid off, over 100 workers now. Tell me, does the minister think that was a good deal for those workers? The company gets government money, and workers get pushed out the door. Do you think that was a good deal for the workers?



**Hon. Sandra Pupatello:** I would hope that this member opposite took the time to understand exactly what our funding with Linamar was to do—Linamar, an international company with a footprint in many countries around the world, but housed right here in Ontario. This is a company that came to the government saying: “We can have a centre of excellence for the production of new products developed right here in Ontario, an R&D facility where we can take products and develop and commercialize them for sale around the world.”

These are the kinds of projects that our government stands behind, because we recognize that we are an export jurisdiction. So I ask the members opposite: When we understand the challenges in manufacturing due to a whole variety of factors that we wish we could control but can't, do we stand behind manufacturers? Do we stand behind them in ways that will make them stronger in the future? I say the answer is yes, we do.

**Mr. Howard Hampton:** I think what the minister just admitted is, yes, the McGuinty government gives \$2.5 million to the international corporation, and 100 workers go out the door, and the McGuinty government is fine with that.

Let me ask you about a couple of others. FibraTech, a company in Atikokan, received \$5.6 million in provincial grants and loan guarantees. On October 11, 2007, the day after the provincial election, the company suddenly went into receivership—another 100 jobs gone.

North American Charters received \$2 million in provincial grants and loan guarantees to build a three-storey building in the Thunder Bay airport. The building is empty, the company is gone and workers are out of work. Koolatron received \$2.3 million in provincial loan guarantees and then laid off workers. I'm asking you again, is this the McGuinty government strategy: millions of dollars for corporations, while workers get pushed out the door?

**Hon. Sandra Pupatello:** When members of his party and the official opposition would name particular companies, it became very clear that they in fact did not present the facts at committee, nor are they presenting the facts today in the House. That is really unfair to companies who are trying to move through some very challenging times—just like the numbers that they purport to bring into this House in fact are inaccurate, and every one of those job numbers that they get wrong means families that worry about whether they will have a job in the future. It is no thanks to this party whether they would have any look to the future for their sector.

This is in fact the only government, in the absence of federal support, where we can truly say that we support our manufacturing sector. We recognize and will stand with them even in these challenging times, because our manufacturers will be strong again. That, they can take to the bank.

#### ENDANGERED SPECIES

**Mr. Norm Miller:** I have a question for the Minister of Natural Resources. Minister, in 2007 your government

promised the Ontario Forestry Coalition—and that includes municipal leaders, First Nation communities, chambers of commerce, labour unions and industry—that your Endangered Species Act would complement the already significant stringent regulatory framework the industry follows.

Your then-Minister of Natural Resources said steps would be taken to provide a section 55 regulation that offers “specific recognition of the Crown Forest Sustainability Act and forest management plans as equivalent processes which plan for species at risk.”

Minister, have you honoured your commitment to our vital forestry sector by putting in place a long-term regulation recognizing that the current forest management in Ontario is world-class and meets all the objectives of the Endangered Species Act?

**Hon. Donna H. Cansfield:** I'm pleased to respond to the question by the member from Parry Sound. We've been working very closely with the forest industry. As you know, the Endangered Species Act comes into effect at the end of June 2008. We recognize our first obligation, of course, is to those species that are at risk, threatened or endangered. Every day, some 600 species are made extinct on this planet.

It is our responsibility and, I would suggest, our obligation to ensure wherever possible to work with our industries and with our companies—actually, with everyone in Ontario—to ensure we do everything we can to protect those species that are threatened or endangered. In fact, as I said, it is our obligation to do so.

We will continue to work with the forest industry. There is no question that excellent progress has been made through the forest management plan and we will continue to work with them as we integrate the species at risk into the forest management plan.

**Mr. Norm Miller:** Minister, you didn't really answer my question. Previously, your government said you would recognize the work that the forestry sector does. Now, they say you're breaking your word. They are saying the government has gone back on its word. They're saying that you're putting in place an unnecessary duplicate layer of red tape that will not only suck up more resources and revenues from a struggling industry, but, in fact, puts the entire forest industry sector on its knees.

In fact, Jamie Lim, president of the Ontario Forest Industry Association says: “The government needs to honour its commitment to 230,000 working families and develop a long-term regulation that recognizes the efficacy of the Crown Forest Sustainability Act and forest management plans in protecting endangered and threatened species and avoids the creation of crippling process that would bring the forestry industry to its knees.”

Minister, will you honour your commitment to our proud forestry-based communities and to the forest industry?

**Hon. Donna H. Cansfield:** Without question, the Premier was very clear that we will integrate the Endangered Species Act into the forest management plan. I believe we can coexist. We do have an obligation to both—not to



one in spite of the other, but to both—to the species that are at risk and to the industry. We have clear indication that many companies are already doing a phenomenal job of doing exactly that and I think a good example is the bald eagle. At no time will we put one at risk of the other. We can sit down, work through and manage to do what we need to do to coexist with species at risk and with industry.

### DIALYSIS

**M<sup>me</sup> France Gélinas:** My question is for the Minister of Health and Long-Term Care. I would like to know, when does the minister intend to expand nocturnal home hemodialysis to residents of northern Ontario?

**Hon. George Smitherman:** I do want to thank the honourable member for the question. I've heard about this matter a lot from the member for Sudbury, and his advocacy on behalf of his constituents has been extraordinary.

I do want to correct an impression that is sometimes advanced that this is a service that is advanced in southern Ontario and not in the north. This is actually not accurate. It's relatively available in very few places, but we do plan to make improvements on that. I don't have all the details at hand, but I can tell the honourable member that I've worked on these issues even this week and hope, in a matter of a relatively few short months, to be in a position to make announcements that would expand the capacity to support people with advanced kidney disease and the associated challenges that mean they need dialysis in a variety of forms. Advancing nocturnal dialysis most certainly is a priority amongst those, and I look forward to working with all members of the House on its expansion for the benefit of our constituents.

1120

**M<sup>me</sup> France Gélinas:** Residents of northern Ontario, such as my constituents Homer Seguin and Richard St. Amour, have been urging the ministry to expand nocturnal dialysis to Sudbury for years. Groups such as the Sudbury Health Coalition, which represents over 20,000 people in the Sudbury area, have urged the minister to fund nocturnal dialysis at Sudbury Regional Hospital.

The minister claimed that the government cannot afford the program in northern Ontario. This completely ignores the benefit of nocturnal dialysis and is a signal to northerners that they should accept second-class health care services. Nocturnal dialysis has been available in southern Ontario for many, many years. Why is the minister refusing to provide nocturnal dialysis to residents of northern Ontario now and to force northerners to accept second-class health care services?

**Hon. George Smitherman:** It's very unfortunate that in light of the answer I gave, the honourable member still chose to read a second question that frankly bears a long way from reality. It is not that there is widespread access to nocturnal dialysis in southern Ontario; that's not an appropriate perception. I know that it is advanced sometimes in the north.

It isn't about two tiers or two classes; it's about making an advance in the province of Ontario that offers the benefits—which I agree with—in terms of nocturnal dialysis much more broadly to Ontarians, in all parts of our province. There are sporadic programs indeed, but overall this is an area where we have a strong opportunity to make an advance in a way that is good for health care because you don't have to build a building and is very good, of course, for the clients because they can get the care at home and aren't disrupted by going into satellite dialysis.

I can tell the honourable member: Since 2003, we've invested more than 158 million new dollars to expand access to dialysis. We have more work to do on nocturnal dialysis, and efforts on that front are forthcoming.

### HIGHWAY SAFETY

**Mr. Khalil Ramal:** My question is to the Minister of Community Safety and Correctional Services. Minister, as my riding of London-Fanshawe is along the 400-series corridor, my staff and I, and of course the citizens of my area, including my constituents, spend a lot of time driving these highways to join with tens of thousands of other motorists as we drive back and forth across the province. The 400-series highways are among the busiest roadways anywhere in the world, with more than 420,000 vehicles making use of them each day. As you know, a lot of crazy drivers are driving this highway and cause a lot of accidents and cause a lot of damage to many other passengers and drivers. Minister, unfortunately the long weekend is especially dangerous for many drivers, and I heard that you funded the OPP for a special plan to make sure our highways are very safe. Can you tell the House and tell—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. Rick Bartolucci:** I want to thank the member for the question.

Listen: Highway safety is vital to everyone in this House. We all encourage and agree that we have to promote safety on our highways. That's why, just recently, we introduced the new aircraft enforcement program. It's an excellent program that allows the OPP, in a Cessna 206, to observe the highway patterns, the driving patterns, from about 2,500 feet.

Let me encourage every Ontarian to drive safely, to follow the speed limit on this long weekend, to drive defensively, because at the end of the day, we want what everyone wants: safety on our highways.

Let me tell the people of Ontario: I was up in the plane just recently. The eye in the sky will catch you if you're a reckless driver or a speeding driver.

**Mr. Khalil Ramal:** Hopefully this new tool will encourage those who would fly along the highway to put a curb on their reckless behaviour. I hear on occasion from frustrated constituents who try to report such careless drivers, only to see them pull off the highway or out of sight before they can get a full description of the offend-



ing vehicle. This plan will allow for the police to monitor these individuals more carefully.

Can you tell us what the government is doing to make sure those people will be monitored and pulled off the highway to make sure our highways are safe for the many people who enjoy driving back and forth or to go to work? I think it's a good initiative, but I want to ask the minister to tell us more about this initiative and how we can make sure all these people are monitored and pulled off the highway.

**Hon. Rick Bartolucci:** I refer to this the Minister of Transportation.

**Hon. James J. Bradley:** Even though Ontario was declared to have the second-safest highways in all of North America in the last figures available, behind only the Northwest Territories, there's much more that has to be done, without a doubt. For instance, let's give an idea of what consequences people could face.

Any driver found stunt driving or driving over 50 kilometres an hour over the speed limit has the vehicle impounded on the spot and the licence revoked for a seven-day period, and if convicted of racing, can face a maximum fine of up to \$10,000, the highest in Canada. When it comes to impaired driving, one of the sanctions is that they can have a 90-day licence suspension for drivers who blow over the legal limit and other consequences.

I also recommend that people listen to Sergeant Cam Woolley on the weekend and other police officers—

**The Speaker (Hon. Steve Peters):** Thank you very much.

## INFECTIOUS DISEASE CONTROL

**Mrs. Elizabeth Witmer:** My question is for the Minister of Health. I regret that you and your government have been unable to grasp the seriousness of the C. difficile outbreak and the fact that more than 120 people have died as a result. Those are just the ones that we know about.

Recently Dr. Allison McGeer, director of infection control at Toronto's Mount Sinai, stated: "We've had hundreds of preventable deaths in Ontario because of C. difficile.... Joe Brant makes it clear that we do not have an adequate handle on the situation."

Minister, today our leader, John Tory, sent a letter to your Premier asking for an independent investigation into the widening C. difficile tragedy to determine what happened, why and where. Will you today, immediately, commit to appoint an investigator to take a look at this situation?

**Hon. George Smitherman:** No, it's not the intention of our government to do that, in large measure influenced by the fact that a coroner's inquest which is, I think everybody would agree, quite independent has been conducted very recently into events which occurred at Soo area hospitals in Sault Ste. Marie, which bear rather too much resemblance, frankly, to the circumstances that

have occurred and been publicized very dramatically recently in the Burlington community.

We think it's more important to get on with the action of implementation of the recommendations and building on the efforts that we've made so far. At Joe Brant hospital, we've had two infectious control officials, paid by the Ministry of Health, who have been there. We've initiated a substantial hand hygiene initiative in the province. We formed the provincial infectious disease advisory committee, created 14 infection control networks and more than doubled funding for public health in the province of Ontario. We know that there's a great degree of necessary vigilance on the part of those who operate our hospitals. We'll be working alongside them to enhance protection—

**The Speaker (Hon. Steve Peters):** Supplementary.

**Mrs. Elizabeth Witmer:** We know that our hospitals work as hard as they can. However, they can't do much if they don't have the support of the Ministry of Health and the appropriate resources.

Considering that more people have died from C. difficile—those are only the ones that we know about—than SARS, I ask you again, will you launch an immediate province-wide investigation into the C. difficile outbreaks in our hospitals and report back to this Legislature in 90 days? You owe it to the hundreds of family members who have lost loved ones, and you owe it to those individuals that you are putting in risk if you don't undertake this type of investigation now.

**Hon. George Smitherman:** The honourable member is on the one hand asking me to initiate an independent investigation and then commit today to returning within 90 days to report on what that independent investigation would look like. She earlier used the word "inquiry," and we all know those don't happen in 90 days.

The point is that a matter of urgency is there. It's being addressed substantively by the people on the front lines who run hospital organizations, but we'll be enhancing these efforts by moving for mandatory reporting of C. difficile as one of a wide range of indicators, and we'll be looking to establish clearer leadership, from the ministry standpoint, that can help to drive these initiatives in the hospitals.

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But the honourable member's credibility on these points where she asks for additional resources really runs up against the reality, which is that more often they're asking for health care spending to be reduced by \$3 billion through the elimination of the health premium.

I do accept that this is a big challenge for health care. We have the capacity to get on with it and to make progress on behalf of our patients. We will not delay it for a review to do that. We'll work relentlessly to implement the recommendations that have been advanced already from the coroners' investigations.

**Mrs. Elizabeth Witmer:** On a point of order, Mr. Speaker: We have never said we're going to cut health care spending.



**The Speaker (Hon. Steve Peters):** I remind the member that it's not a point of order. The issue was raised and I responded to it in a prior question period.

#### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Ms. Cheri DiNovo:** My question is for the Minister of Community and Social Services. I'm delighted today to have Teddy Paterson and his parents, John and Sylvia, here from my riding in the Speaker's gallery. Teddy was born with cerebral palsy, and John and Sylvia have been his loving and willing caregivers since birth. But in an all too familiar case, the immense cost of Teddy's support is crushing this family.

Teddy is going to graduate from high school soon. We're really proud of that, but he will require full-time assistant care. We're speaking here of 24 hours a day, seven days a week. He's not even able to operate a power chair. So my question for the minister is, what is her ministry prepared to do to help Teddy stay at home with his family?

**Hon. Madeleine Meilleur:** Merci beaucoup pour cette question. First of all, I wanted to commend the parents for the good service that they provide to their son. I know that it's very challenging. I want to let you know that this government is working towards helping families like yours with your challenge, to provide the best service that they can for you to be able to keep your son at home.

That's why, under our leadership, we have started this passport program. The passport program is exactly for that: to help, to support parents and to buy services for their loved one to keep them at home, or to provide them with services that are already offered in the community. This afternoon, this government is going to introduce new legislation that will enhance the service to those with developmental disabilities.

**Ms. Cheri DiNovo:** The minister knows all too well that there are over 5,000 families on waiting lists—and so is Teddy—for that very program. We have written letters to this minister and to the Minister of Health, and so has the family. We get letters back, but never any answers. We're asking you to meet with this family and actually look at their particular case. This hasn't happened, and this family is not being serviced.

Teddy doesn't want to go into an institution. What this government is doing is placing more and more young people in institutions, with people three times their age. We know that the minimum standard of care there is not even 3.5 hours a day. He needs 24-hour-a-day care, seven days a week.

So I'm going to ask again, and I would like an answer this time for Teddy—not a bureaucratic answer, but an answer for Teddy: Why won't this minister commit to this family so that they can look after Teddy at home?

**Hon. Madeleine Meilleur:** First of all, every case of developmental disability or handicap is being evaluated for the services that they need. I cannot, standing here in

this room, say that he will get this or he will get that. Every case is being evaluated.

This new legislation that we're bringing about will have a standard tool for assisting a case like this. I can say to you today that this government, every time we move forward with putting in money to improve the quality of service for those with developmental disabilities or the handicap—this party was always standing up and voting with the Conservatives against everything we offered.

#### NURSES

**Ms. Sophia Aggelonitis:** My question is for the Minister of Health and Long-Term Care. Minister, I know that you have been busy attending events and announcements to celebrate Nursing Week. I want to thank the nurses who work so hard in my riding of Hamilton Mountain, as well as nurses right across this province, who keep us healthy.

Minister, I have heard from some people who are concerned about retaining our new nursing graduates. What are you doing to make sure that our new nurses aren't leaving the province or country to find jobs?

**Hon. George Smitherman:** I want to thank the honourable member from Hamilton for her excellent question. One of the biggest challenges health care faced for a long time was that graduating nurses didn't get an opportunity to transition easily into full-time work. With last year's institution of the new graduate guarantee, we've made enormous strides. Thirty-two hundred new nursing graduates participated last year and, of them, 86% transitioned to full-time employment. Indeed, as I've been in a variety of health care settings this week, I've had the chance to meet so many of the impressive new nurses. In Hamilton alone there are 252 new nurses who have graduated into full-time employment—178 at Hamilton Health Sciences, three at St. Peter's and 71 at St. Joseph's health care—meaning that through the new graduate guarantee, with \$90 million a year of provincial government funding, we've solved one of the biggest problems, where we didn't take proper advantage of the skills of our newly minted nurses. We've made great strides and those improvements are paying results for patients and health care in Ontario.

**Ms. Sophia Aggelonitis:** I know how valuable nurses are to our health care system and their importance to our community, whether they are delivering care in a hospital, long-term-care home, in the community or any other location. In fact, next Tuesday I too will have the privilege of job-shadowing some of our nurses in the community.

Minister, I've heard concerns from my constituents about a shortage of nurses in Ontario. What are you doing to make sure that Ontario has access to enough nurses and that nurses currently in the profession are receiving the support they deserve?

**Hon. George Smitherman:** The data from the College of Nurses of Ontario demonstrate that there are thou-



sands more nurses working on the front lines of health care. We want to continue to build on that progress.

Of course, the new graduate guarantee is a foundation of success, because it means we don't lose our nurses to other jurisdictions. We intend over the next three years to invest more than five hundred million new dollars to create opportunities headed toward 9,000 additional nursing positions. This represents 17.5 million annual hours of additional service to the patients of the province of Ontario. In addition, working with nurse practitioners, we've created a very exciting new role—the first one of these is in Sudbury—of the nurse-practitioner-led family health care clinic. In addition, we're going to dedicate ourselves, working with the Ministry of Labour, to enhancing the workplace safety circumstances for our nurses. There are improvements that we can make in making healthier workplaces, and this is going to be a big priority in sustaining our nursing workforce.

### TOURISM

**Mr. Ted Arnott:** My question is for the Minister of Tourism. The Victoria holiday weekend is upon us, and this is traditionally the beginning of the summer travel season in Ontario. What new initiatives can the Minister of Tourism announce today to provide leadership and give the industry hope as the summer begins? And what specifically is the government going to do to welcome back American tourists to our province?

**Hon. Peter Fonseca:** I thank the member for Wellington-Halton Hills for the question and the opportunity to share with this House all that's happening in tourism in the province of Ontario. First, our government is very committed to a vital and sustainable tourism industry. Two days ago I was up in Wasaga Beach, and we were announcing \$100,000 to PR the great Wasaga Beach. What a great family outing over that long weekend—the longest freshwater beach in the world. They see over two million visitors. We want to make sure that they continue to break records, to get more than two million visitors up there. We have a great cultural renaissance going on in this city: going to the ROM, the AGO, the Gardiner Museum. There is so much to do and see in Ontario.

**Mr. Ted Arnott:** The question was, what are you going to do to bring back the American tourist? It appears from the answer that the government has written off the American tourist market, which has traditionally been the mainstay of our tourism and hospitality industry. That important industry is facing multiple blows from a strong Canadian dollar, high gasoline prices and confusion at the border. The fewer tourists who are visiting are less satisfied with their experience here, according to the recent Toronto tourism report. In the five years since the McGuinty Liberal government has been in power, they have neglected Ontario's tourism industry in its time of need. When will this government take effective action so that Ontario regains its status as a destination of choice for the world?

**Hon. Peter Fonseca:** This government is very committed. In our fall economic statement, we pledged another investment of \$30 million to be able to promote this magnificent province and to those key markets in the United States.

We have a terrific marketing campaign—There's No Place Like This. It's been a huge success. Many of us, hopefully all of us, have seen it on TV. It's run in Detroit, Buffalo, New York, Boston. We are getting those American visitors to see all the great offerings that we have here in Ontario.

Our greatest market is actually within. We want Ontarians to travel and be tourists in your own town. Some 89 million tourist visits happen in and around Ontario.

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### ABORIGINAL RIGHTS

**Mr. Howard Hampton:** My question is for the Minister of Aboriginal Affairs. Minister, Neskantaga First Nation sent a notice to your government and the mining industry asking that mining exploration companies meet with the First Nation before staking mining claims. Company X complied with Neskantaga's request and began a consultation process. Another company, Temex Resources, completely disregarded the First Nation, went on their traditional territory, started cutting lines and staking claims, even after the First Nation requested them to stop. The McGuinty government recorded the mining claim of Temex Resources, the company which shows no respect for the First Nation. The other company, which tried to show respect for the First Nation, is out in the cold. Is this the McGuinty government's idea of a mining exploration process that is fair to First Nations and fair to mining exploration companies that respect First Nations?

**Hon. Michael Bryant:** I can't speak to the specifics. I'm sure the member will understand. I know that the Minister of Mines would be in possession of that information. But I certainly can speak to the approach that has to take place, and as a starting point, it should be very similar to the one that the Assembly of First Nations signed with the Prospectors and Developers Association, which in fact did involve the appropriate level of consultation.

There have to be changes to the Mining Act—and the minister of mines and the Premier have said that—and we are going to change the Mining Act. As the member knows, it's over 100 years old. So we will consult with First Nations as we do the important work that has to be done to make the changes to the Mining Act in order to ensure that we, yes, support First Nations economic development, support the mining industry, but also support the rights of First Nations and Metis people.

**Mr. Howard Hampton:** Here's the reality: The McGuinty government talks; meanwhile, companies that actually want to show respect for First Nation rights and interests get pushed to the back, and companies that show



no respect for First Nations get their mining claims recorded by the McGuinty government.

This is how the chief and council at Kitchenuhmaykoosib Inninuwug wind up in jail—because they're dealing with a company that showed no respect. This is how the chief of Ardock First Nation winds up in jail—because they're dealing with a company that shows no respect.

This is not just a provincial issue anymore. The Financial Times, last week, ran an article pointing out the injustices of the mining exploration system under the McGuinty government.

When are we going to hear the end of talk and see some action from the McGuinty government? When are you going to stop giving companies that don't respect First Nations first chance at mining claims?

**Hon. Michael Bryant:** The member has asked questions before about the need for governments to consult with First Nations and engage in collaboration and consultation, and in fact that's why we are doing that with respect to the changes to the Mining Act. A unilateral approach, where the government just said, "Okay, here's what we're doing," may have been the approach many years ago, but it's not the approach that is undertaken today.

It's with that in mind that the government today announced the very important, I think, historic agreement to set up a new relationship fund, a \$25-million fund over the next two years that will provide First Nations and Metis people with the ability and the capacity to engage in the very negotiations that we need to engage in and the consultations that we need to engage in in order to make the very changes that the member wishes to make.

### AIR QUALITY

**Mr. David Oraziatti:** My question is for the Minister of Environment. Recently, I had the opportunity to attend a public meeting in my community regarding environmental issues and emissions from Algoma Steel. Residents in Sault Ste. Marie are concerned about the air quality in our community. They want assurances that additional pollution control mechanisms will be on facilities at Algoma Steel. As the minister knows, I've raised the issue with him, his office and MOE staff on several occasions over the past few months. Minister, residents want to know, what steps will be taken to improve the air quality in the Soo and area?

**Hon. John Gerretsen:** First of all, I want to compliment this member on being very persistent and having raised this issue with me and the MOE staff on a number of occasions. I also want to compliment him on how he's worked constructively with our MOE staff in Sault Ste. Marie and the representatives from Algoma Steel, as well, on ensuring that Algoma Steel is in compliance with our government's tough air pollution regulations prior to the plant expansion.

Algoma has a recent initiative to install temporary baghouses, and we will be continuing to work with them

to encourage further environmental improvements in the future.

As I told this member previously when he raised this concern with me, the ministry is continuing to work very closely with Algoma Steel and community organizations to ensure compliance with the ministry standards and provide reports and background information to the local communities.

As a matter of fact, Algoma Steel is holding two public meetings next week and I encourage people to attend. Ministry officials will be—

**The Speaker (Hon. Steve Peters):** Supplementary.

**Mr. David Oraziatti:** Minister, as you're aware, Algoma Steel intends to restart blast furnace number 6. While my community certainly welcomes the proposed expansion at the steel plant, which will bring additional jobs and economic benefits, they want to know that safeguards will be in place before development occurs.

This is about air quality in the immediate area. Residents deserve the opportunity to voice their opinions and concerns before this project gets any approval from the ministry. I can tell you that what they will want to know is that the furnace will not be restarted until appropriate pollution control mechanisms are in place and that there's a certificate of approval that will protect the air quality in the community.

Will the ministry ensure that if this goes ahead, there will be the necessary pollution controls in place?

**Hon. John Gerretsen:** As the member knows, the process for certificates of approval for Algoma Steel to restart blast furnace number 6 is currently underway. I can assure him that the ministry staff will review the application to ensure that the plans for pollution control equipment will result in improvement of the air quality for the area residents.

He can also be assured that regardless of the local federal member's actions, the decision reached by the independent Ministry of the Environment officials will be based on sound scientific assessments rather than political rhetoric.

Regulation 419 sets out air quality standards that industries across Ontario must meet. Those air quality standards have been improved in 57 different ways over the last couple of years.

The member can tell his community that details of the application will be posted on the EBR registry for public review and comment.

Once again, I encourage everyone who is interested to submit public comments when the application is posted because the ministry will review and consider closely any comments that have been made.

### SCHOOL TRANSPORTATION

**Mr. John Yakabuski:** My question is for the Minister of Education.

I've raised the issue of rural school transportation funding repeatedly, and the minister continues to ignore it. I recently warned her by letter that the day was fast ap-



proaching when her inaction and broken promises could lead to a loss of school busing in my riding entirely. Yesterday, school bus operators in Renfrew county said in a press release that "school buses in Renfrew county may be a thing of the past."

Despite the minister's promise to change it, she continues to support a transportation funding formula that severely punishes rural school operators. When will the minister abandon her plan to sit and wait while school bus operators have to decide whether they can afford to stay in business or not? Bring forth a fair funding formula now.

**Hon. Kathleen O. Wynne:** I have been exceedingly clear in this House and with the school bus operators and with school boards that we're committed to providing funding so that small operators as well as the large operators can stay in business.

We have increased funding by 29% to school bus transportation since we came into office. We're working with the school bus operators.

I've been very clear that in the go-forward we are committed to making sure that small school bus operators—and the School Bus Operators' Association of Ontario knows that. They've met with me, they've sat with me, and they're encouraged that we're moving down this road. They're part of the process, they're feeding into the process, and we are committed to keeping those small operators, as well as the larger operators, in business.

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**Mr. John Yakabuski:** Minister, that is a load of you-know-what. She talks about increased money; school bus operators talk about skyrocketing costs—licensing fees, insurance, and fuel costs that have gone up 57% since last September. You know what they got from you? This year, it was 1.35%, with all of those expenses going up.

You continue to support a formula that treats urban school bus operators much more fairly than rural school bus operators. You are ultimately jeopardizing all rural school bus operators in this province, particularly those in Renfrew county, and ultimately you are jeopardizing the safety of children. Do something about this formula now or suffer the consequences. Take responsibility for what happens on your watch.

**Hon. Kathleen O. Wynne:** That was quite a performance. In fact, we just invested another \$10 million in the wages of school bus operators. We also provided \$15.4 million to deal with the rising cost of fuel. I am well aware that the school bus operators in this province need to have a fair deal. They need to be able to work with government and work with school boards in order to drive the thousands of children every day that they do.

I want to say that we owe a debt of gratitude to the school bus drivers in this province. They are terrific people, and I don't think that they are well served by the kind of bluster that we're hearing from across the way. What they need is a minister and a government that's willing to work with them to make sure they have a fair wage and fair cost benchmarks. That's what we're doing in the interests of the kids in this province.

## LEGISLATIVE PAGES

**The Speaker (Hon. Steve Peters):** I'd like to ask all members to join me. This is the final day within the Legislature for our wonderful group of pages. We want to say thank you for the great service they've provided to each and every one of us. We wish all of you all the best in your future endeavours. We trust that one day you will be here and you will have learned from your experience. When you are here, you will help to bring a new sense of decorum to this wonderful chamber.

Let's thank them all very much.

**Mr. Gilles Bisson:** On a point of order, Mr. Speaker: The former pages who were here before know better.

## VISITORS

**The Speaker (Hon. Steve Peters):** I just want to remind members as well—the changes that took place regarding the introductions: I am but a servant of this House. I do what the standing orders ask me to do. I would encourage you to talk to your own respective House leaders or the government House leader if you have some issues dealing with introductions.

## PETITIONS

### LORD'S PRAYER

**Mr. Norm Miller:** I have a petition to do with maintaining the Lord's Prayer in the Ontario Legislature. It reads:

"To the Legislative Assembly of Ontario:

"Whereas Premier Dalton McGuinty has called on the Ontario Legislature to consider removing the Lord's Prayer from its daily proceedings; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message is one of forgiveness, of providing for those in need of their 'daily bread' and of preserving us from the evils we may fall into; it is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I support this petition.

### HOME CARE

**M<sup>me</sup> France Gélinas:** It gives me great pleasure to introduce this petition of SEIU and the people of Brampton:

"Whereas the Ontario government has continued the practice of competitive bidding for home care services; and

"Whereas the competitive bidding process has increased the privatization of Ontario's health care delivery, in direct violation of the Commitment to the Future of Medicare Act, 2004; and

"Whereas competitive bidding for home care services has decreased both the continuity and quality of care available to home care clients; and

"Whereas home care workers do not enjoy the same employment rights, such as successor rights, as all other Ontario workers have, which deprives them of termination rights, seniority rights and the right to move with their work when their employer agency loses a contract;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario:

"(1) to immediately stop the competitive bidding for home care services so home care clients can receive the continuity and quality of care they deserve; and

"(2) to extend successor rights under the Labour Relations Act to home care workers to ensure the home care sector is able to retain a workforce that is responsive to clients' needs."

I fully support this petition, will affix my name to it and send it with page Evelyn.

#### HOSPITAL FUNDING

**Mr. Bob Delaney:** I have a petition to the Ontario Legislative Assembly. I'd like to thank Dr. Tom Short for sending this to me, and also his patients for having signed it. It reads as follows:

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I thank those who signed the petition. I'd like to sign and support it and ask page Emily to carry it for me.

#### LORD'S PRAYER

**Mr. Jim Wilson:** I want to thank the members of the congregation of the Lighthouse in Wasaga Beach for sending this petition to me.

"Whereas Premier Dalton McGuinty has called on the Ontario Legislature to consider removing the Lord's Prayer from its daily proceedings; and

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe; and

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"We, the undersigned, petition the Legislative Assembly of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

I've signed this petition and I agree with it.

#### FIREARMS CONTROL

**Ms. Sophia Aggelonitis:** I have a petition to the Legislative Assembly of Ontario:

"Whereas the growing number of unlawful firearms in motor vehicles is threatening innocent citizens and our police officers;

"Whereas police officers, military personnel and lawfully licensed persons are the only people allowed to possess firearms; and

"Whereas a growing number of unlawful firearms are transported, smuggled and being found in motor vehicles; and

"Whereas impounding motor vehicles and suspending driver's licences of persons possessing unlawful firearms would aid the police in their efforts to make our streets safer;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 56, entitled the Unlawful Firearms in Vehicles Act, 2008, into law, so that we can reduce the number of crimes involving firearms in our communities."

I agree with this, and I put my signature and give it to page Emily.

#### LORD'S PRAYER

**The Speaker (Hon. Steve Peters):** The member from Durham.

**Mr. John O'Toole:** Thank you very much, Mr. Speaker. Someone in the second row getting recognized this soon is surprising and rewarding.

I'm pleased to read a petition from my constituents in the riding of Durham, which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its rightful place at the beginning of daily proceedings in the Ontario Legislature; and



"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message of forgiveness and the avoidance of evil is universal to the human condition: It is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I'm pleased to present it to page Hannah on her last day here at Queen's Park.

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### HOSPITAL FUNDING

**Mr. Joe Dickson:** A petition to the Legislative Assembly of Ontario:

"Whereas the Central East Local Health Integration Network board of directors has approved the Rouge Valley Health System's deficit elimination plan, subject to public meetings; and

"Whereas it is important to ensure that the new birthing unit at Centenary hospital, a \$20-million expansion that will see 16 new labour, delivery, recovery and postpartum (LDRP) birthing rooms and an additional 21 postpartum rooms added by October 2008, will not cause any decline in the pediatric services currently provided at the Ajax-Pickering hospital; and

"Whereas, the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a project that could reach \$100 million, of which 90% is funded by the Ontario government—it is important to continue to have a complete maternity unit at the Ajax hospital; and

"Whereas it is also imperative for the Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding; and

"Whereas the parents of Ajax and Pickering deserve the right to have their children born in their own community, where they have chosen to live and work;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Rouge Valley Health System continue to provide the current level of service; and

"That our Ajax-Pickering hospital now serves the fastest-growing communities of west Durham; and

"That the Ajax-Pickering hospital retain its full maternity unit."

I will affix my signature to that and pass it to Emily.

### HEALTH CARD RENEWAL CLINIC

**Mr. Tim Hudak:** I'm pleased to present a petition about bringing health card renewal services closer to Glanbrook residents.

"To the Legislative Assembly of Ontario:

"Whereas seniors, the disabled, families with young children and other Mount Hope and Binbrook residents are forced to drive to downtown Hamilton to renew their Ontario health cards; and

"Whereas the province of Ontario mandates that health cards be renewed on a regular basis and that an Ontario health card must be presented to receive OHIP health services; and

"Whereas the Dalton McGuinty government has increased taxes and fees on local residents but has not improved services;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To work with the Ontario Ministry of Health to bring a mobile health card renewal clinic to the Mount Hope and Binbrook area so that residents can more readily renew their Ontario health cards without the drive to downtown Hamilton."

In support, I affix my signature.

### FIREARMS CONTROL

**Mrs. Laura Albanese:** I have a petition to the Legislative Assembly of Ontario.

"Whereas the growing number of unlawful firearms in motor vehicles is threatening innocent citizens and our police officers; and

"Whereas police officers, military personnel and lawfully licensed persons are the only people allowed to possess firearms; and

"Whereas a growing number of unlawful firearms are transported, smuggled and found in motor vehicles; and

"Whereas impounding motor vehicles and suspending driver's licences of persons possessing unlawful firearms in motor vehicles would aid the police in their efforts to make our streets safer;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 56, entitled the Unlawful Firearms in Vehicles Act, 2008, into law, so that we can reduce the number of crimes involving firearms in our communities."

I agree with this petition. I therefore affix my signature and pass it to page Hannah.

### LORD'S PRAYER

**Mrs. Julia Munro:** "To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from daily proceedings in the Ontario Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message is one of forgiveness, of providing for those in need of their 'daily bread' and of preserving us from the evils that we may

fall into; it is a valuable guide and lesson for a chamber that is too often an arena for conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I affix my signature to this as I'm in complete agreement, and I've given it to Jillian.

### HOSPITAL FUNDING

**Mr. Jeff Leal:** I have a petition today from Kathy Moorehead, who lives at 1560 Carrington Road in Mississauga.

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I agree with this petition and will affix my name to it.

### POPE JOHN PAUL II

**Mr. Jim Wilson:** "Whereas the legacy of Pope John Paul II reflects his lifelong commitment to international understanding, peace and the defence of equality and human rights;

"Whereas his legacy has an all-embracing meaning that is particularly relevant to Canada's multi-faith and multicultural traditions;

"Whereas, as one of the great spiritual leaders of contemporary times, Pope John Paul II visited Ontario during his pontificate of more than 25 years and, on his visits, was enthusiastically greeted by Ontario's diverse religious and cultural communities;

"Therefore we, the undersigned, petition the Parliament of Ontario to grant speedy passage into law of the private member's bill ... An Act to proclaim Pope John Paul II Day."

I agree with this petition and I have signed it.

### HOSPITAL FUNDING

**Mr. Joe Dickson:** A second petition in reference to the Ajax-Pickering hospital:

"Whereas the Central East Local Health Integration Network ... has approved the Rouge Valley Health System's deficit elimination plan, subject to public meetings; and

"Whereas, despite the significant expansion of the Ajax-Pickering hospital"—I'm going to just cut to the quick on some of this because of the time allocation—"this plan now calls for the ill-advised transfer of 20 mental health unit beds from Ajax-Pickering hospital to the Centenary" unit; and

That "would negatively impact on the quality care for residents of Ajax and Pickering; and

"Whereas it is also imperative for Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding;

"We, the undersigned, therefore petition the Legislative Assembly of Ontario as follows:

"That the Rouge Valley Health System continue to provide the current level of service to our Ajax-Pickering hospital, which now serves the fastest-growing communities of west Durham; and

"That the Ajax-Pickering hospital retain the badly needed 20-bed mental health unit."

I will affix my signature and pass this to Hannah.

### POPE JOHN PAUL II

**Mr. Tim Hudak:** I'm pleased to present a petition calling for the creation of Pope John Paul II Day. It reads as follows

"Whereas the legacy of Pope John Paul II reflects his lifelong commitment to international understanding, peace and the defence of equality and human rights;

"Whereas his legacy has an all-embracing meaning that is particularly relevant to Canada's multi-faith and multicultural traditions;

"Whereas, as one of the great spiritual leaders of contemporary times, Pope John Paul II visited Ontario during his pontificate of more than 25 years and, on his visits, was enthusiastically greeted by Ontario's diverse religious and cultural communities; and

"Whereas Bill 194, the Pope John Paul II Day Act, 2007 did not pass before the Legislature was adjourned three weeks early for summer recess;

"We, the undersigned, petition the Legislative Assembly as follows:

"That the Legislative Assembly of Ontario designate a day as Pope John Paul II Day in honour of his extraordinary contribution to our communities."

In support, I affix my signature. This petition was sent by Our Lady of Perpetual Help Church in St. Catharines.

**The Speaker (Hon. Steve Peters):** The time for petitions has expired. This House stands recessed until 1 p.m. this afternoon.

*The House recessed from 1208 to 1300.*



## MEMBERS' STATEMENTS

## ALLISTON HORNETS HOCKEY TEAM

**Mr. Jim Wilson:** I rise to congratulate the Alliston Hornets hockey team for winning the all-Ontario 2008 Ontario Hockey Association's Schmalz Cup, an accomplishment that no other Alliston junior C hockey team has been able to do in the hockey club's 37-year history.

The Hornet's historic season came to an end the night of May 3, in the sudden-death overtime of game seven against the Essex 73's of the Great Lakes, when an unassisted goal scored by the Hornet's Kyle Brossard brought home the win to Alliston. This outstanding victory is evidence of the team's incredible dedication to the game of hockey and to sportsmanship.

In addition to the respect the players have earned throughout our community for their win, they are also being praised by opposing teams, coaches and fans for their performance on and off the ice. The team's clean and positive approach has gained them an admirable reputation throughout Ontario.

On behalf of the residents of Simcoe-Grey, I want to commend the team for the immeasurable amount of time, commitment and sacrifice made toward their sport. This accomplishment is something to be admired. They should all be very proud of themselves for a job well done.

The town of New Tecumseth is hosting a congratulatory party for the Hornets on Saturday, May 24 at the New Tecumseth Recreation Centre. I want everyone to know that they are more than welcome to come out and join in the celebration.

## BOYS AND GIRLS CLUBS OF CANADA

**Mr. Paul Miller:** On behalf of the Ontario NDP, I'm honoured to welcome the Boys and Girls Clubs of Canada to Hamilton for their biannual national conference, from May 21 to May 24. This year's conference, entitled Champions: Out in Front for Children and Youth, is being hosted by my constituency group, the Hamilton East Kiwanis Boys and Girls Club. In support of the 2008 national conference, my colleague from Hamilton Centre, Andrea Horwath, and my federal counterpart for Hamilton East-Stoney Creek, Wayne Marston, will be attending and promoting a number of conference events.

For over 60 years, the Hamilton East Kiwanis Boys and Girls Club has provided recreational and social development programs for youth in Hamilton. Their efforts to level the playing field and make their programs accessible and affordable to all children are a model for other organizations. I am always very pleased to support the Hamilton East Kiwanis Boys and Girls Club because they stand for many of the same core values I uphold in my riding: inclusion, opportunity, respect, belonging, empowerment, collaboration and speaking out.

As well as welcoming the Boys and Girls Clubs of Canada participants to Hamilton for their 2008 national

conference, I encourage all members of this House to contact their local boys' and girls' clubs to wish them the best during their upcoming conference. After all, we are working very hard in Hamilton to make our city the best place to raise a child. I know that you will want to send the same message to your communities.

## GOOD SHEPHERD

**Ms. Sophia Aggelonitis:** I would like to tell you about an organization in my community of Hamilton called the Good Shepherd. The Good Shepherd is a social service agency in Hamilton. They live by the motto, "Charity Unlimited ... Never Stop Loving." It is with this spirit that the brothers of Good Shepherd continue to help those that need it in our city. Through their hard work and commitment, they help troubled youth, abused women and children, the mentally and physically challenged, the hungry and the homeless.

Earlier this week, Minister McMeekin and I had the honour of welcoming the Minister of Community and Social Services to Hamilton to announce a \$5-million investment that will go towards building the Good Shepherd's women's centre. This funding will allow the Good Shepherd to continue to enhance the quality of life for women and children who seek assistance and support.

I would like to thank the minister for her continued commitment to organizations such as the Good Shepherd and for always recognizing how important these organizations are to our communities. I would also like to take a moment to recognize Brother Richard of the Good Shepherd for continuously addressing the needs of our community and supporting our residents.

## C. DIFFICILE

**Ms. Laurie Scott:** I rise with full respect to the families of the victims of C. difficile in health facilities across Ontario. Today, the Minister of Health flatly rejected Ontario's Ombudsman, who has said that the minister's response to this outbreak has been inexcusably lax and deserves a public inquiry.

It should be noted that the minister has taken a completely opposite direction than the one he has in the past. In June 2003, George Smitherman is quoted: "There is no good excuse to reject the idea of a public inquiry." His response today is much different.

There's more. In March 2004, Mr. Smitherman said: "Ontarians are smart people and deserve to know the facts." Today, when asked if he is willing to share the facts with Ontarians through an inquiry, he refused.

This C. difficile outbreak, which the minister has chosen to ignore, has claimed more lives than the SARS outbreak in 2003, when Mr. Smitherman stated: "It's critically important that at a time and age where we know that there will be more complex situations like this that confront us, we take every advantage that we can, that we reach out to all of those who have a voice and we hear of their problems and we take them seriously and we act to

address those concerns, not in some review where nobody knows who's asking what questions and under what mandate, but under a commission of inquiry that is independent, thorough and transparent."

Today, this same person—so profound and courageous in opposition—has chosen to ignore the fact that people are dying of this serious infectious disease and is evading his responsibility. These are facts. The minister and Deputy Premier should explain himself to the victims of the tragedy.

#### LEON PAROIAN

**Mr. Bruce Crozier:** I rise today to pay tribute to Windsor lawyer Leon Paroian who died at the age of 71 Saturday morning after a lengthy illness.

With quotes from the Windsor Star, and on behalf of my colleagues Dwight Duncan, Sandra Pupatello and all the residents of Essex—Windsor, I must say that Leon is remembered as a gregarious man, as a committed lawyer who often fought long and hard for the underdog and as someone for whom family and friends meant everything.

"No one loved his family more and no one was more generous with his friends," said Leon's son, Phil.

"Dad, I think, is someone who has changed all our lives in a way that will stay for good."

Phil said new friends often found it hard to believe that his dad was considered the quiet one in the family, but once they made their first visit to the home where his father would hold court, they understood.

Paroian's long-time law partner, Gabe Courey, commented that this buddy not only helped his clients, but helped him.

"My entire adult life Leon was my friend," Courey said. "There was never a burden I had that he didn't help me carry."

Former Ontario Conservative cabinet minister John Snobelen listed three passions he felt were most important to Leon: "family, law and justice."

Besides acting as a lawyer, sometimes against long odds, Paroian was gentleman farmer, a philanthropist and a past solicitor for the Windsor Police Association and the Police Association of Ontario.

Leon, you were highly respected and loved. You will be missed, but remembered. Our prayers and thoughts are with the Paroian family.

#### PREMIER OF ONTARIO

**Mr. John Yakabuski:** It appears that the good ship McGuinty is showing signs of corrosion and may have even developed a few leaks. It turns out the rusting is happening from the inside out.

A recent article by Robert Benzie of the Toronto Star pointed out that many of its sailors are tiring of the fact that Captain Dalton ignores their advice, choosing rather to listen to his advisors in port, most of whom have never actually been out to sea. While these sailors gleefully

took their orders from the captain's landlubbers on their first voyage, hoping for a promotion to the officers' club, they are coming to realize that the long-awaited call from the captain is not about to happen.

It has become apparent to the crew that the captain just doesn't trust them as much as his hand-picked advisors, and there are a lot of them. In fact, Captain McGuinty has more people in his land-locked office than he has on his ship. No wonder he has told his sailors: "You don't have to think. Just show up, keep up and shut up."

Many of the officers themselves are beginning to question whether or not Captain McGuinty himself has lost his edge, that he's losing his focus as his ship heads for stormy seas. They themselves are forced to consider their options: (a) get off at the first port of call; (b) check the lifeboats; or (c) dare I say, mutiny.

Stay tuned. Ahoy, I see an iceberg.

#### GEMS OF THE LAKESHORE

**Ms. Laurel C. Broten:** I'm very pleased today to rise to inform this Legislature about an initiative in my community of Etobicoke—Lakeshore, called Gems of the Lakeshore.

Following extensive community meetings, the Gems of the Lakeshore project was launched last year in partnership between my office, the Lakeshore BIAs and the Lakeshore Community Partnership to highlight the importance of strong and vibrant community organizations and innovative and unique businesses.

You see, south Etobicoke understands the important role that both businesses and service organizations play in our community, in particular when it comes to our collective and continued efforts to strengthen and revitalize our neighbourhoods.

1310

The Gems has given local residents an opportunity to recognize their favourite neighbourhood small business and community service organization. Collectively, we have been able to formalize the word-of-mouth advice and good news we regularly hear about these local groups from our family, friends and neighbours. In other words, it's a chance to say, "Thanks. You're doing a great job every day, and we appreciate that."

For the second year in a row, we join together to celebrate the success. This year, we were pleased to recognize Storefront Humber, Timothy's Pub, Jakeb Tyler Home Décor and Gifts, Lakeshore Village Mind and Body Integrated Medicine and Lakeshore Arts.

I want to extend my appreciation to the community for thoughtfully submitting recommendations and for taking the opportunity to acknowledge and pay tribute to the many gems that make our community sparkle every day.

#### JOHN BROOKS

**Mr. Mike Colle:** Canada's Jamaican community and all Ontarians have lost a great visionary, John Brooks.



Named to the Order of Canada in 1993, John Brooks was also a member of Jamaica's Order of Distinction and the Order of Ontario.

Most notably, he was the founder of the John Brooks Community Foundation and scholarship fund. Established in 1981, the fund provided financial support for hundreds of young students, primarily of Jamaican and African descent.

John was awarded an honorary doctorate from Queen's University for his contributions to education.

John was born in Stony Hill in St. Andrew, Jamaica, and moved to Canada in 1962 with his wife, Patricia, and worked as an electrician.

Brooks' dedication to improving the life of new arrivals to Canada led him to co-own and operate the Latin Quarter, one of Toronto's landmarks in the Yonge and Dundas street area.

He will certainly be missed by the Jamaican-Canadian community as an educator and mentor.

Anne-Marie Bonner, Jamaica's consul general in Toronto, said, "The community at large suffers a great loss with the passing of an irreplaceable stalwart."

Brooks leaves his wife, Patricia, children Doreen, Glen, Martinette, Donna and Richard, and seven grandchildren.

As Courtney Betty, a protege of John Brooks, who's now one of Toronto's leading lawyers, said at his funeral, at St. Chad's church, "John is the reason why I succeeded in life, and without John's help, I couldn't have done it."

We miss you, John. Goodbye.

#### ANTI-SMOKING LEGISLATION

**Mr. Jeff Leal:** Mr. Speaker, I want to tell you that I'm absolutely astounded by comments made right here in this House yesterday. You just can't have it both ways: You either support protecting our children's health or you don't. I'm talking about Bill 69, the bill that's supported by Ontario Medical Association, the Canadian Cancer Society, the Heart and Stroke Foundation and other groups that know something about health care in this province.

Take yesterday as an example. On one hand we're told by the member from Thornhill that "your opposition friends will support the bill." Then that same member went on to call the bill "nanny state legislation," and suggested we're making it "illegal to be a moron in Ontario" because of the bill.

I wonder if he's talked to his caucus colleague, who just yesterday reminded us that she supported and would have introduced the legislation but for my friend from Sault Ste. Marie. I'm wondering, if she had introduced the bill, what would have happened behind closed doors in that caucus.

Let me tell you, my children and my friends' children and all those kids in my constituency of Peterborough deserve a lot better.

#### OFFICE OF THE AUDITOR GENERAL

**The Speaker (Hon. Steve Peters):** I beg to inform the House that, pursuant to section 28 of the Auditor General Act, I have today laid upon the table the audited financial statements of the Office of the Auditor General for the year ending March 31, 2007.

#### INTRODUCTION OF BILLS

##### SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES ACT, 2008

##### LOI DE 2008 SUR LES SERVICES AUX PERSONNES AYANT UNE DÉFICIENCE INTELLECTUELLE

Mrs. Meilleur moved first reading of the following bill:

Bill 77, An Act to provide services to persons with developmental disabilities, to repeal the Developmental Services Act and to amend certain other statutes / *Projet de loi 77, Loi visant à prévoir des services pour les personnes ayant une déficience intellectuelle, à abroger la Loi sur les services aux personnes ayant une déficience intellectuelle et à modifier d'autres lois.*

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The minister for a short statement?

**Hon. Madeleine Meilleur:** I will keep my comments for the unanimous consent statement.

##### PROPERTY TAX DEFERRAL ACT, 2008

##### LOI DE 2008 SUR LE REPORT DES IMPÔTS FONCIERS

Mr. Shurman moved first reading of the following bill:

Bill 78, An Act to provide property tax deferrals to low-income seniors and low-income persons with disabilities / *Projet de loi 78, Loi visant à accorder des reports d'impôts fonciers aux personnes âgées à faible revenu et aux personnes à faible revenu atteintes d'une invalidité.*

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement?

**Mr. Peter Shurman:** To date in Canada, property tax deferral programs are offered at the provincial level in British Columbia, Prince Edward Island and Nova Scotia. Similar programs are offered at the state level across the United States. In Ontario, property tax deferral programs are at the municipal level under the Municipal Act.

This bill, if passed, would create a province-wide and provincially administered program whereby low-income seniors and disabled persons can defer property taxes payable on properties used as their principal residences. This new program will help ease the burden shouldered by municipalities and provide an even playing field and one-stop assistance for low-income seniors. This is a win-win and has broad support from the seniors' community.

#### NORTHERN YORK REGION POWER CONSERVATION ACT, 2008

#### LOI DE 2008 SUR L'ÉCONOMIE D'ÉNERGIE DANS LE SECTEUR NORD DE LA RÉGION DE YORK

Mr. Tabuns moved first reading of the following bill:

Bill 79, An Act to promote the conservation of power in Northern York Region and the Town of Bradford West Gwillimbury / Projet de loi 79, Loi encourageant l'économie d'énergie dans le secteur nord de la région de York et la ville de Bradford West Gwillimbury.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement?

**Mr. Peter Tabuns:** The bill prohibits the operation and construction of single-cycle generating stations with an electrical generating capacity greater than 30 megawatts in certain municipalities. The bill also requires the Ontario Power Authority to make every reasonable effort to implement conservation measures in those municipalities in order to reduce electricity consumption to meet the overall peak demand for electricity.

#### COMMUNITY LIVING DAY JOURNÉE DE L'INTÉGRATION COMMUNAUTAIRE

**Hon. David Caplan:** On a point of order, Mr. Speaker: I believe we have unanimous consent for a member of each party to speak for up to five minutes regarding Community Living Day and services for persons with developmental disabilities, following which a member from each party will speak for up to five minutes regarding the International Day Against Homophobia.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Hon. Madeleine Meilleur:** This is a proud moment for me and for our government. Today I have the privilege of tabling legislation to create the Services for Persons with Developmental Disabilities Act, 2008.

With today being Community Living Day at the Legislature, introducing this bill today is both symbolic and significant: symbolic, because we are letting Ontarians know that the McGuinty government is taking the next big step in laying the groundwork for our long-term plan for developmental services; significant, because we are

demonstrating that we are a government of action, not words.

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Before I go on, I want to take a moment to recognize a number of people who are with us today in the gallery, people who have indeed made a real difference in the lives of many Ontarians with a developmental disability. Please join me in welcoming representatives from Community Living Ontario, Community Living Toronto, OASIS and Reena, to name a few. Welcome.

Monsieur le Président, la législation que nous proposons, si elle est adoptée, remplacerait la Loi sur les services aux personnes ayant une déficience intellectuelle.

Cette loi, qui est en vigueur depuis 1974, était à l'époque une législation modèle et importante. Mais avec le temps, cette politique est devenue désuète et archaïque.

It speaks to a time when we supported people in institutions, not communities. We need legislation that recognizes that people with developmental disabilities can live much more independently in their communities, with the right supports.

When we came to office five years ago, nowhere was the need for modernization greater than in the developmental services. We heard loud and clear from people with developmental disabilities, their families and community agencies that the system of supports needed to be easier to navigate, people needed services and supports closer to home, and they needed more choice and flexibility in the support they received.

Et nous nous sommes engagés à répondre à ces besoins. Nous avons élaboré un plan de réorganisation global visant à rendre le système plus équitable, plus accessible et plus durable. Nous avons annoncé la fermeture des trois derniers foyers gouvernementaux pour les personnes ayant une déficience intellectuelle, dès la fin de mars 2009. Et nous nous sommes engagés à développer un plan d'action pour l'avenir, un plan réaliste, novateur et évolutif.

Our proposed legislation will lay the groundwork for that plan. This is a bill with families in mind. It responds to what families and people with developmental disabilities have told us through our province-wide consultations, and builds on that advice.

Si ce projet de loi est adopté, il nous permettra d'améliorer les services, car les personnes n'auront à s'inscrire qu'à un seul endroit pour obtenir des services, d'offrir plus de choix, car les personnes pourraient recevoir des fonds directement et à la mesure de leurs besoins et, ce serait plus équitable car les personnes concernées utiliseraient la même trousse d'évaluation des besoins; la priorité serait accordée aux personnes dont les besoins sont les plus grands.

That's what this bill is all about. It's the critical next step in the evolution of services for people with developmental disabilities in this province. This province has come so far since 1974, when the current Developmental Services Act became law. But we have so much further to go, and we are committed to the journey. With the passage of this bill, we could really move forward.



Ce projet de loi est une évolution importante de l'engagement social de l'Ontario envers ses citoyens, envers des personnes qui ont une déficience intellectuelle, pour leurs familles et pour les personnes qui les soutiennent.

If this bill is passed, we will be able to look back and say, "We took a giant step forward in building stronger and more inclusive communities for all Ontarians."

I encourage all members of this House to support this important legislation.

**The Speaker (Hon. Steve Peters):** Responses?

**Ms. Sylvia Jones:** It is a pleasure to rise on behalf of the Progressive Conservative caucus to mark the ninth annual Community Living Day at Queen's Park. We need to celebrate the many innovative and meaningful community living programs across the province. I know about the fabulous work that is done in my community to support people with developmental disabilities, and I know that the focus is on their abilities, not their disabilities.

I would like to thank the staff who work in this rewarding field, individuals like Ann Smith, an employee of Brampton Caledon Community Living, who's been awarded the 2008 Community Living Ontario Inclusive Education Award by the Canadian Association for Community Living. For more than 25 years, she's been a tireless advocate and resource to students who have a disability and their families in Peel region.

I would also like to acknowledge and thank the families who care for their children into adulthood, volunteer to support programs and fundraise to make a difference. Families are an integral part of the support that people with disabilities need for a fulfilling life. We need to recognize and thank those parents, and ensure that programs and policies support their needs and goals for their children.

There are two wonderful community living agencies in my riding of Dufferin-Caledon. I've had the privilege of working with both for the past 15 years. For more than 50 years, Brampton Caledon Community Living has supported people with developmental disabilities, in partnership with their families, to lead enriched and meaningful lives. Their vision is that people with developmental disabilities have the right to live in the community, to enjoy all that their community has to offer and to make a contribution to community life. This vision is something we can all support and strive to work toward.

In Dufferin, we have an exciting new initiative. The Building Dreams Together Campaign is an innovative partnership between Community Living Dufferin and Theatre Orangeville. The campaign is being launched to support the construction of a new building, which will be shared by both organizations. An exciting benefit of this partnership is the opportunity for Community Living Dufferin clients to be involved in various aspects of the theatre's operation. Working together, they will be able to break down barriers and be a model for how persons with developmental disabilities can fully participate in our community. The two organizations have already

formed a groundbreaking partnership to create program for drama classes for people with developmental disabilities. It's called Creative Partners on Stage.

Today is a day to celebrate the many achievements of community living organizations. But at the same time, this Liberal government must not ignore the needs of families who care for children outside of community living agencies. These families are also caring for their children into adulthood, and should be given the same priority as other families. I'm hearing from those families that the new passport funding for 2008-09 to allow them to hire personal support workers and provide services for their children has been frozen. Many families are already on waiting lists and struggling.

Grassroots, family-governed organizations like Families for a Secure Future have been providing a valuable service by offering education and support to families. They have worked for many years to build a network of family support circles, and it seems a shame to allow this organization to disband because they are ahead of government in their transformation agenda.

Finally, today, government introduced amendments to the developmental services legislation. We asked the government House leader to provide us with a separate opportunity to respond to the bill, but this request was denied. I would have liked to have an opportunity to comment separately on those proposals, but I will reserve my comments for a later date.

Community living organizations across Ontario are dedicated to enabling people with disabilities to lead enriched and meaningful lives. They are reaching out to the community so that individuals can realize their full potential. It's all about the possibilities and the independence. I am pleased to have the opportunity to highlight their achievements and congratulate them on their advocacy.

**Mr. Michael Prue:** I rise to celebrate Community Living Day and to thank all of the people here from Community Living for being part of our community, for being the wonderful people that you are who show each and every one of us in this Legislature your commitment to the people of Ontario, your right to live with us and amongst us, and to be part of us as we are part of you. This is a monumental day, the ninth year that this has taken place in this Legislature.

1330

Community Living is an organization of inclusion. It stands for, in my belief, three things: all people are afforded human dignity; secondly, all people are given an opportunity to participate; and thirdly, all people have an opportunity to integrate within the community. If any organization in this province has been successful in delivering its mission, it is Community Living Ontario. They have done a tremendous job over all of these many years.

As New Democrats, we believe that everyone should have access. We believe that everyone should have the right to a decent income. For those who live on Ontario's disability plan and get their monies from there, we



believe that that money should be increased so that people can live in dignity. We believe that those who are able to work and to contribute to the economy should be allowed to keep the wages that they make without having them clawed back against the ODSP benefits. We believe that health care should be universal and that the health care that people with disabilities often require should be made more readily available. We believe that decent homes are the right of every single citizen of this province. We believe that people should have the dignity of real work and that real work should be afforded to them, and that groups like Common Ground, which sets up the baking of baked goods and the delivery of coffee, should be promoted and funded and enhanced in order to provide those opportunities. We believe in fair recognition of people for their jobs.

We celebrate this milestone today knowing full well that what happened last week is that Ecuador became the 30th country on the face of the planet to ratify the United Nations Convention on the Rights of Persons with Disabilities. That means that that is now the international law of this planet, that there is a convention that protects and enhances the rights of people with disabilities. It is now in force.

Sadly, Canada has not ratified that convention yet. We're usually the first of countries to ratify conventions from the United Nations. But I am pleased to say that some two weeks ago in the House of Commons in Ottawa, there was unanimous approval of a motion put forward by the NDP to ask Canada to commit itself to this convention. I think it's only a matter of time until the government of Canada does so.

There is much left to be done. In this province, I am sad to say that people with disabilities, including the people who are here with Community Living, are often treated as second-class citizens. They are treated that way because the ODSP levels are so low that they are forced, throughout virtually their entire lives, to live in poverty. They are treated that way, and their wages, if they can make any, are clawed back. They are treated that way, sadly, and I hope this bill which we've been given today does something about that.

Community Living has been on the forefront of these issues. Their work is essential. Their work is wonderful. I commit my party to work with them for all Ontarians to respect the gifts that each and every person brings to the province and that each and every person in this province can contribute to all of us. Because of your work this day, the day is fast approaching when people with disabilities will have equal rights with everyone else in this province. I promise to be on the forefront of making sure that happens, pushing the government to make sure it happens as fast as possible.

In terms of the minister's bill, as you can see—I don't want to use it as a prop, but it's just been put on my desk—it is about four inches, or 10 centimetres, thick. I haven't had an opportunity to read it. But I will state for the record that we will support the bill, provided it does a number of things, and I'll be reading it very carefully to

see that it does a number of things: first, that families who hire independent workers through these programs are put in the situation, and need to be protected from being put in a situation—to hire trained, supervised, disciplined workers; they need to be given that kind of experience and opportunity. Families are left vulnerable if the caregiver becomes ill or leaves, and we need to make sure there are provisions in the bill for this.

We need to make sure that a two-tiered system is not established between families who can function as effective employers and those who cannot. We need to make sure within the body of the bill that there is accountability in terms of the quality of care provided, which is of concern when wages too often, sadly, in this sector are too low. We need to make sure that an individualized system need not undermine the network of established community agencies; that it needs to create job stability, not instability for workers, and it need never reduce the quality of care. Last, but not least, we need to make sure that within the body and the four walls of this bill there is sufficient money set aside to make it actually happen so that the services, if purchased, are equivalent or better than the services that are being given now.

Having said that, I look forward over the next many nights, I'm sure, of reading this bill to making sure that it works on behalf of all of the citizens of Ontario who have disabilities.

Again, to Community Living, thank you very for coming here and sharing your experiences with us. You are always most welcome to come to this Legislature. We always need to hear your stories, and I guess you've just heard mine.

## INTERNATIONAL DAY AGAINST HOMOPHOBIA

**Hon. George Smitherman:** It's my privilege today to rise and to speak, as a matter of unanimous consent, on the International Day Against Homophobia and to welcome a hearty cross-section of Ontario's gay and lesbian community to the galleries today in support of this. I must be specific in recognizing one distinguished guest, because my spouse is in the House and I want to acknowledge that my husband, Christopher, is here.

I rise in the House today to recognize International Day Against Homophobia, which will be commemorated on Saturday, May 17.

When it comes to respect, equity and acceptance, the world has taken its cue from Canada. Initially created by Montreal's Fondation Émergence, International Day Against Homophobia was first recognized by the National Assembly of Quebec in 2003. Since then, it has gained international momentum in jurisdictions like Belgium, France and Britain.

Once again, this day highlights the need to end homophobia on our streets, in our schools and where we seek health care. Each year when International Day Against Homophobia is held, organizers focus on one aspect of our lives where homophobia occurs. Previous years have



targeted home, work, school and even organized sports. This year's campaign aims to ensure that gays and lesbians can receive health services in a caring environment without facing discrimination.

Gay people have unique health concerns, and homophobia can have devastating repercussions for its victims. Rainbow Health Ontario was recently funded by the Ministry of Health and is designed to help advocate on those issues and influence the health care delivery system to align itself to the needs of the community in a supportive and affirming way.

In fact, as one example, the suicide rate amongst young gay men and women is much higher than for their heterosexual peers. A great number of gays and lesbians live in isolation, fearful of rejection and of discrimination. Transgendered and transsexual persons are often pushed to the fringes of society, with very few supports to turn to.

That's why it's especially impressive that today we can celebrate that in the Speaker's gallery is a group of students and staff from Peel and Halton district school boards, from the gay-straight alliance. These are young people working with staff in schools to address these issues proactively, and we welcome them to the Legislature.

A visit to the first floor would show maps which confirm the vastness of the land mass of the province of Ontario, and it's easy enough for anyone to feel lost. Imagine what it must be like for a gay person struggling with one's sexual orientation in downtown Toronto. Often, much more daunting are the circumstances faced by those in rural or remote Ontario, where no roadmap to access affirming health care exists.

Ontario has taken many steps over the last five years to ensure that people of all backgrounds are treated as equals. During Pride Week of 2007, the Premier announced funding for the creation of Rainbow Health Ontario. Its mission is to help Ontario become a province where sexual and gender minority residents have equitable access to health and wellness services and can live in healthy, supportive communities. Over the coming years, as Rainbow Health Ontario spreads its wings, we hope it will lead to greater networks of supportive health care professionals and more supportive environments.

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At the 23rd annual conference of the Gay and Lesbian Medical Association, representatives from HealthForceOntario travelled to Montreal to recruit American gay and lesbian health care workers. We are not only in the business of providing equitable, inclusive and accessible health, but also ensuring that that care is delivered by people from all walks of life.

Despite years of education, this community often finds itself fighting the same battles. "Homosexuality is NOT a sickness!" is the theme of this year's campaign, and our health care workers are among the best messengers to spread the word.

Our province prides itself on promoting access to quality health care for all. As a gay, married man, I am

proud to call Ontario home. This province has led the way with progressive laws such as the Civil Marriage Act, but there is still more we can do to improve access to health care. We will continue to work with organizations like Rainbow Health Ontario to build a road map highlighting where affirming care exists.

We commemorate this day and celebrate the diversity of the population, and we all join together in hoping that in the future, we can look forward to a day when an International Day against Homophobia is no longer required.

**The Speaker (Hon. Steve Peters):** Responses?

**Mrs. Elizabeth Witmer:** I am pleased to speak on behalf of our party. Certainly, this is a day that obviously is extremely important. I think the Minister of Health has spoken to this issue extremely well. In fact, he's in a better position than most to express the views and also the concerns and needs, and certainly we would support him. There is a need for respect; there is a need for equity. People need to be free from discrimination when it comes to health care, and obviously there needs to be equitable access to health services for all people in Ontario.

But I would say that I am somewhat concerned, because we in the opposition had asked today that there be an opportunity for us to respond to Madam Meilleur's statement and be given five minutes. We weren't allowed to do so. There was also to have been five minutes of unanimous consent on the community living statement today, and those were to be two separate opportunities for the opposition to speak to that particular issue. I guess the other request that had been made was for unanimous consent, since this is also Nursing Week, and we haven't been provided with the opportunity to do that. I would say, Mr. Speaker, that some of what is happening in the House today comes as a bit of a surprise and a disappointment.

I personally believe that all these issues that we are speaking to today are extremely important, and I am very disappointed that we did not recognize Nursing Week, as we have in past years, by unanimous consent in this House. I think it's important that we recognize our nurses. They are respected, vital professionals who provide compassionate care. On behalf of our party, since we have not had a chance to do so, as the request wasn't granted, I would simply say that we want to express our appreciation to all the hard-working nurses in the province of Ontario for their professionalism, for their dedication and for their exceptional contributions to patient care in Ontario.

**Ms. Cheri DiNovo:** It's an honour and a privilege to rise and speak on this day when we remember those who, through internalized or externalized homophobia, have lost their lives, and so I honour them. I particularly honour a person named Toby Dancer, a good friend to our church in Parkdale-High Park, and our music director; in fact, a transwoman who died an untimely death. We commemorated Toby with a stained glass window. I like to think that we're the only church in the world with a stained glass window dedicated to a trans



person. Then one of my congregants said, "But what about Joan of Arc?" So there are other churches that have commemorations of transpeople.

I want to also honour some amazing people who are here—and also rejoice. We've received some happy news today, which is that sex reassignment surgery is going to be relisted. There are people here who have worked long and hard for this joyous day. I want to acknowledge them and the transhealth collective: Ann Travers, Susan Gapka, Martine Stonehouse, Nicole Nussbaum—Toby Dancer I've mentioned—and of course, we have in the gallery Brent Hawkes, who we all know and love, who performed the first same-sex marriage—really, that we knew of in the world—and was my inspiration for performing the second.

I rise to rejoice at that and also to remind everyone here of how this day came to be. On May 17, 1991, the World Health Organization removed homosexuality from its list of mental illnesses. The problem is that homophobia is still real, homophobia is still everywhere, and homophobia still kills.

The Minister of Health mentioned the number of young people who die from internalized and externalized homophobia. That cannot be exaggerated too much. It is the leading cause of suicide in our students, in our schools. It is the leading cause, in many schools, of bullying. It is the leading cause of depression in many instances. This goes on and on.

All members here—I speak to all members because we do represent all of Ontario in this place—have a responsibility on this day to carry this good news/bad news story back to our communities and to do something about it, not to just talk about it, but to do something about it. That means to speak up in favour of inclusion and diversity, wherever we are. So I look to my right, I look everywhere, and I know that every member here will take this to heart and will go from this place and do something about this in their community.

I've lived in many places in Ontario, and I can tell you that not every place is as inclusive as Church and Wellesley. There are lots of places in Ontario where it's very dangerous to be an LBGTQ person—very dangerous indeed. That's the reality in which we all live, work, breathe and have our being. This day calls for action, not just talk. It calls for action. But it also, as I say, calls for celebration. I have to say to the Minister of Health, we certainly wished this day had come for SRS relisting five years ago, but, hey, George, we're happy it came—even five years late, so thank you.

I'd also ask the government. Last year, I put in a bill called Toby's Act, that asked that gender identity be in the Human Rights Code in this province. I know that Barbara Hall supports us on that. I hope that the government members do. I'd like to see that become law as well. I don't know what's holding it up. That's the next step.

One of the reasons we put that forward—certainly, the inspiration came from the transhealth collective on that—was that we wanted to see SRS relisted, but it's broader

than that. We still know that transphobia and homophobia is rampant. Trans people, in particular, don't have recourse if they're denied employment or denied habitation. So we need to move on that still.

But again, a day to rejoice, a day to mourn, a day to recognize all of those who have done so much in this community. Let us, as the Minister of Health said, work toward a day when we don't have to have a day like this, because the whole world is inclusive.

## VISITORS

**Hon. Kathleen O. Wynne:** On a point of order, Mr. Speaker: I would just like to welcome the students of Rippleton Public School, Mrs. Ormos's grade 5 class, and all the volunteers who here with them today. Welcome.

**The Speaker (Hon. Steve Peters):** I too would welcome them. I remind the member that that was not a point of order. On the issue of introductions, as I made reference at the end of proceedings this morning, I would encourage you all to talk to the House leader. I enforce the standing orders of the House. I do not make those rules. I just remind all members of that and refer all those introductions that want to come afterwards to the government House leader, not to my office.

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## PRIVATE MEMBERS' PUBLIC BUSINESS

### STEVEN TRUSCOTT

**Mrs. Liz Sandals:** I move that, in the opinion of this House, given the unique circumstances in the case of Steven Truscott, who was unanimously acquitted of murder by the Ontario Court of Appeal, the province of Ontario should provide compensation to Mr. Truscott in recognition of the miscarriage of justice from which he has suffered for almost 50 years.

**The Speaker (Hon. Steve Peters):** Ms. Sandals has moved private members' public business regarding compensation to Mr. Steven Truscott.

The member from Guelph.

**Mrs. Liz Sandals:** I would like to welcome George Allain and his law students from Humberview Secondary School in Bolton. I think they're just coming into the House as we speak. George's law classes have been studying the Truscott case for several years. They hosted a conference on wrongful convictions, and they have been here at Queen's Park today talking to the members about the Truscott case.

I'd also like to welcome my daughter, Allison and my grandson William.

*Interjection.*

**Mrs. Liz Sandals:** I didn't say it was a point of order.

**Mr. Peter Kormos:** That was perfectly legitimate.

**Mrs. Liz Sandals:** Exactly.



In the early evening of June 9, 1959, it was a hot and humid evening on the air force base outside Clinton, Ontario. There were lots of folks out enjoying the weather. There were kids playing baseball at the schoolyard, there were kids riding their bikes up and down the county road, swimming at the local swimming hole and fishing at the Bayfield River.

Steven Truscott was out for a ride on his bike too, and met a fellow student, Lynne Harper. He gave her a ride on his bike out on the county road, past Lawson's Bush, and on up to Highway 8. He dropped Lynne off at Highway 8, then he retraced his steps back down the county road alone and was home to babysit his younger siblings by 8:30 p.m., just like he'd promised his mum.

By midnight that night, Mr. Harper had reported his daughter missing. Two days later, on the afternoon of June 11, Lynne's body was found in Lawson's Bush. She had been sexually assaulted and strangled. The police believed that Steven had turned off the county road and taken Lynne into Lawson's Bush and murdered her. They didn't believe Steven's story, that he had dropped her off at the county road, and they certainly didn't believe him when he said that when he stopped and looked back, he saw her get into a car and drive off.

Steven Truscott was taken into police custody on the evening of June 12, and he was subsequently charged with the murder of Lynne Harper. As of that point, Steven's young life was stolen from him.

The crown's case hinged on the time of death. If Lynne had died prior to 8 p.m. on June 9, Steven Truscott was almost certainly the killer. If, on the other hand, she had died after 8 p.m. on June 9, after Truscott returned to the school ground, the crown's theory collapsed; Steven could not be guilty.

At trial, Dr. Penistan, the pathologist who performed the autopsy, testified that he would put the time of Lynn's death prior to 7:45 p.m. on June 9. There was a host of other evidence about who saw who, when and where, but Dr. Penistan's testimony sealed Steven's fate. On September 30, Steven Truscott was convicted of murder and sentenced to hang. He was 14.

The Governor General in Council ordered that Truscott's death sentence be commuted to life in prison. Truscott was jailed at the Ontario Training School for Boys in Guelph, in my riding. While at the training school, Steven did not receive any meaningful education. After all, he was expected to be in jail for the rest of his life. At age 18, now an adult, he was transferred to Collins Bay Penitentiary in Kingston.

In 1966, responding to public pressure, the federal government asked the Supreme Court of Canada to review Truscott's conviction. At that time, the Supreme Court of Canada heard additional evidence relating to the time of death, but the majority still accepted Dr. Penistan's claim that death occurred prior to 7:45 p.m. on June 9. The Supreme Court of Canada upheld the conviction.

In 1967, government officials disposed of the physical evidence. There was no malice in this act. After all, the case had been to the Supreme Court of Canada, and they

had no way of knowing that, decades later, DNA testing would be possible. They had no way of knowing that they were destroying evidence that may have exonerated Steven Truscott. Thankfully, the written and photographic records were retained.

Fortunately, correctional officers at Collins Bay gave Steven the opportunity to train as a millwright. Steven was a model prisoner, and in 1969, by an act of Parliament, Truscott was granted parole and released from prison. Because he was still labelled a murderer, he was forced to live under an assumed name. He moved to my riding in Guelph, he married Marlene and raised a family, all under an assumed name.

Throughout the decades, Steven Truscott always maintained his innocence. His story has always been consistent. He had given Lynne a ride up the county road and dropped her off at Highway 8. He did not take her into Lawson's Bush. He did not murder her.

In 2002, the federal justice minister Irwin Cotler did listen to Steven Truscott. He retained the Honourable Fred Kaufman to investigate and provide advice on the Truscott case. Mr. Kaufman advised that there was clearly a reasonable basis for concluding that a miscarriage of justice had likely occurred. Based on this advice, the case was referred back to the Ontario Court of Appeal, with instructions that they should hear the new evidence now available.

Again, the case hinged on the time of death. If Lynne died before 8 p.m. on June 9, Truscott was guilty. If Lynne died after 8 p.m. on June 9, Truscott was innocent. The Ontario Court of Appeal heard from several pathologists, led by the chief forensic pathologist for the province of Ontario. The chief forensic pathologist reflected on scientific developments since 1959 and concluded overall that the time of Lynne Harper's death cannot be precisely determined and can certainly not be pinpointed to be between exactly 6:45 p.m. and 7:45 p.m. on June 9.

Interestingly, Dr. Penistan himself had come to this view. Two preliminary versions of Dr. Penistan's autopsy report have since been discovered. One preliminary report was discovered in 2005 at Stratford General Hospital. It would have placed Lynne Harper's death at about 12:45 a.m., after midnight on the morning of June 10. The other preliminary report was discovered in Dr. Penistan's personal files during the Kaufman investigation and would have placed the time of death between 4:45 a.m. and 10:45 a.m. on the morning of June 10. Most significantly, Dr. Penistan prepared a review of his testimony for the 1966 Supreme Court reference and submitted it to the OPP in 1966. Dr. Penistan ultimately concluded in his 1966 report that, "All findings are compatible with death within two hours of Lynn's last meal. They are not incompatible with death at a later time (up to 12 hours or even longer)." In other words, Dr. Penistan was saying that Lynne could have been killed anytime between the early evening of June 9 and the morning of June 10, just exactly what today's scientists are telling us.

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However, Dr. Penistan's revised opinion was not submitted to the Supreme Court of Canada in 1966. Dr.



Penistan's revised report was not disclosed to Steven Truscott's defence team, because in 1966 the crown was not required to disclose such evidence to the defence. Had Dr. Penistan's report been submitted to the Supreme Court of Canada in 1966, it is quite probable that this miscarriage of justice would have been recognized some 40 years ago. The Ontario Court of Appeal was presented with a host of other evidence, including archival police witnesses, which supported Steven's version of events. Of course, they weren't disclosed either back in 1959 or 1966.

Last August, as you know, the Ontario Court of Appeal ruled that, given the new evidence, Mr. Truscott's conviction cannot stand and must be quashed as a miscarriage of justice. The court further ruled that Mr. Truscott should be acquitted.

There has been much comment around the fact that Mr. Truscott has not been formally found factually innocent. Well, first of all, the physical evidence was destroyed years ago. There can be no DNA testing. Secondly, it wasn't legally possible for the court of appeal to find Mr. Truscott innocent. In the words of the court, "Counsel for the appellant acknowledge that a declaration of innocence has no statutory basis in Part XXI of the Criminal Code. They accept that it would be most extraordinary for an appeal court to make a finding of factual innocence. Indeed, counsel have not pointed to any instance in which a Canadian appellate court has ever made such a declaration."

Of course, he can't be found innocent. In other words, Truscott got the best ruling that was legally possible: He was acquitted.

As many of you know, Mr. Justice Sydney Robins is providing the Attorney General with legal and technical advice on the matter of compensation for Steven Truscott. The Truscott case has always attracted major public interest. My motion provides an opportunity for members of this Legislature to also provide advice to the Attorney General, on behalf of their constituents.

Steven Truscott has proclaimed his innocence for almost 50 years. For almost 50 years, he has been incorrectly labelled as a murderer. Steven's wife, Marlene, and thousands in my riding of Guelph and across Canada have supported Steven for almost 50 years. The Ontario Court of Appeal has finally recognized that Steven's conviction was a miscarriage of justice. It is appropriate that this Legislature also recognize that a miscarriage of justice has occurred.

I ask the members to endorse my motion in support of compensation for Steven Truscott.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Ms. Sylvia Jones:** I will be sharing my time with our justice critic, the member from Whitby—Oshawa.

I would like to welcome the students of Humberview Secondary School in Bolton, from my riding of Dufferin—Caledon, to the Ontario Legislature. Their teacher, George Allain, brought the students here today to observe the debate on the Steven Truscott motion. I am particu-

larly pleased that young people from my riding are actively involved in the political process. Students from Mr. Allain's law class have studied how the Legislature operates and have actively participated in the process for a number of years. I hope their exposure to parliamentary democracy will motivate them to remain involved in politics for many years to come.

As many members are aware, for over six years, successive law classes at Humberview have studied the Steven Truscott case and have lobbied to have his name cleared. At each stage of the judicial process, they've debated and discussed the evidence. Over the years, they've pushed to have the Ontario Court of Appeal expedite a hearing, and celebrated when the Ontario Court of Appeal acquitted Mr. Truscott.

As several members will recall, on December 8, 2004, students from Humberview came to the Legislature to present an Internet petition that the class had created. The students researched and wrote the petition and set up a website to distribute it. The petition called upon then-Attorney General Michael Bryant to expedite the Steven Truscott matter in the Ontario Court of Appeal. More than 11,000 signatures were collected and presented in the Legislature.

On November 25, 2005, Humberview students hosted a one-day symposium called *The Wrongfully Convicted*, with a focus on the Truscott case. Over 600 high school students from across Ontario attended that symposium. Workshops were led by front-line police officers, university professors and lawyers. After the workshops, which covered all aspects of the case, students, teachers and guests gathered in the auditorium to hear remarks from Steven Truscott. Mr. Allain's law class presented their research, as well, to the Progressive Conservative leader, John Tory.

In 2007, Humberview students also had an opportunity to attend some of the Court of Appeal proceedings. Their studies gave them first-hand insight into the operation of the Canadian judicial system. Last August, when Mr. Truscott was acquitted by the Ontario Court of Appeal, Attorney General Michael Bryant referred the matter of compensation to Justice Sydney Robins, a retired judge of the Ontario Court of Appeal.

Yesterday, my colleague and Progressive Conservative justice critic from Whitby—Oshawa asked Attorney General Chris Bentley about the status of the report. The Attorney General indicated that he had received Justice Robins's advice and he intended to "speak to this matter in the not-too-distant future." I believe all members of the Legislature need to know the contents of the report that has been delivered to the Attorney General. We need to have the benefit of Justice Robins's advice as part of our deliberations on today's motion. Since the government has the report, I would urge the Attorney General to release it today.

I would also like to commend Mr. Allain's class and the students of Humberview for their initiative and efforts to clear Steven Truscott's name. They have given great support to Mr. Truscott and his family.



I would like to let the Attorney General critic for the Progressive Conservative Party finish off.

**The Acting Speaker (Mr. Jim Wilson):** Further debate? I know you said you'd split your time, but we do go in rotation at this point.

The member from Welland.

**Mr. Peter Kormos:** I want to be very clear that New Democrats support this resolution. New Democrats have been outspoken about the efforts by Mr. Truscott and his lawyers to obtain redress, first, in terms of being declared innocent and, secondly, very much in terms of being compensated for the incredible, horrible, almost unthinkable injustice that was done to him. We quarrel only with one small portion of this resolution, and that is the reference to the unique circumstance in the case of Steven Truscott. Tragically, sadly, in this province and in this country, being wrongfully convicted is not as unique as we wish it was.

Most recently, of course, the case of Robert Baltovich: How many years did Mr. Baltovich have to wait before a far-from-perfect justice system finally served him? It's not the system, because when we speak about the plight of the wrongfully convicted—and I say to you, New Democrats are clear: Steven Truscott was wrongfully convicted—these are not so much flaws in the system as they are the failure of the Ministry of the Attorney General and its crowns to fulfill all of their responsibilities as officers of the court, and the failure of the police to be an independent, non-judgemental investigative body.

How many more times—you see, this case goes back to 1959; Baltovich is far more recent and, as we speak, the same injustices could be occurring. But when you have overzealous crown attorneys whose sole goal is to get a conviction at any cost—I know many crown attorneys, and the vast majority of crown attorneys are noble, hard-working, outstanding lawyers and officers of the court, who understand that their role is to ensure a fair trial, as much as it is the role of a defence counsel to do the same—police with tunnel vision, who fix on one suspect and then neglect to consider how many others? We talked about Aju Iroaga here, Mr. Klees and I did, a couple of weeks ago—once again, a case where the OPP, in the instance of the vanishing of a young university student working in the summer in northern Ontario, failed to even investigate to the extent of interviewing co-workers who were with him on the day that Aju Iroaga vanished.

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Surely, the only thing that's worse than the perpetrator of a horrific crime walking free is an innocent person being convicted. Look at the seriousness, the intensity of this: a 14-year-old boy sentenced to hang, and then imprisoned at a very tender age, still in his teenage years, to Collins Bay Penitentiary—a boy still—with some of the most dangerous and deranged prisoners contained in any prison in this country and on this continent.

I found it sad that the office of the Attorney General in this province did not take a clear position in front of the Court of Appeal with respect to Mr. Truscott, that he had

been wrongfully convicted, but rather forced Truscott and his lawyers to continue to fight. And yes, Mrs. Elliott, for whom I have great admiration and respect, only yesterday put to the Attorney General of this province the question as to what's being recommended by Judge Robins. Here we have this resolution; the Attorney General says he has the advice of Judge Robins, but somehow the Attorney General wants to play his cards close to his chest. I believe, especially in the context of this resolution being called today, that it would have been very appropriate for the Attorney General to tell us what Judge Robins had advised, and more importantly, to tell us what he, the Attorney General, was going to do.

I say that this House today will make it very, very clear that it is the unanimous view of every one of us in this chamber that Steven Truscott be promptly and thoroughly compensated for decades of his youth stolen from him, of his identity stolen from him, because, amongst more things, he was compelled, upon his release from prison, to live life under a pseudonym. We owe it to Truscott, we owe it to his family, and we owe it to all of the wrongfully convicted.

I know Rosario Marchese from Trinity-Spadina wants to speak to this resolution as well.

I do want to thank lawyers Jim Lockyer, a brilliant, brilliant legal mind, who has taken on some of the most difficult cases in this country and served the profession as a lawyer well, but more importantly, served justice well; and Marlys Edwardh, again, one of Canada's outstanding lawyers. Her assistance in the pursuit by Truscott for fair compensation must be acknowledged.

New Democrats join clearly, unequivocally and enthusiastically in this call for immediate fair and full compensation for Steven Truscott.

**Mr. Monte Kwinter:** I rise in support of the motion put forward by the member for Guelph regarding compensation for Steven Truscott.

My colleague from Huron-Bruce has asked me to read into the record the following statement. The statement reads: "I want to first thank the member for York Centre for agreeing to read this statement in my absence. To begin, I read the following statement into the record of the Ontario Legislature on November 16, 2004." This is a statement by Mrs. Carol Mitchell, Huron-Bruce:

"I would like to state that the people of Clinton wish to see the final chapter of the Steven Truscott case resolved quickly.

"As you are aware, this event took place 45 years ago in Clinton, Ontario, a small town in my riding, and many people today still feel a very strong attachment to this case. Justice Minister Cotler stated that there is a reasonable basis to conclude that a miscarriage of justice likely occurred in this case.

"Closure needs to be brought to the case that has weighed heavily on the people of Clinton for over four decades. The people of Clinton and Ontario wait to see the final chapter written." End of statement.

The member from Huron-Bruce goes on to say, "As you know, this past year the Ontario Court of Appeal



stated that there was indeed a miscarriage of justice in the Steven Truscott case. As the member from Huron-Bruce, I am supporting the motion put forward by the member from Guelph that implores the Ontario government to compensate Steven Truscott for the injustice that he has suffered through.

"I believe the final step in providing closure to Mr. Truscott, his family and the community of Clinton is for the government to provide due compensation to the Truscott family to atone for any damage this has caused over the past 50 years."

That was the statement from the member of Huron-Bruce.

I just wanted to add my comments. As a parent, as most of us in this Legislature are, can you imagine the tragedy of having a 14-year-old child, your son, charged with rape and murder and sentenced to hang? Can you imagine the trauma of the friends, relatives and neighbours that in their midst there was this 14-year-old who had these very severe charges laid against him and that he was sentenced to hang?

His sentence was commuted to life imprisonment. He went through a series of judicial reviews. He spent a major part of his life living under an assumed name in a community that was strange to him, having to cope with the fact that he had married, had children and couldn't tell anybody about his particular situation. Finally, the Ontario Court of Appeal, after reviewing the evidence, declared that there was a miscarriage of justice and that he should have the charges withdrawn.

It's really a situation where, in my mind, there can't be any question that there has to be some redress for what this young person went through for the bulk of his life. He is now at the stage where this is a 50-year situation. I think that we have to, as a Legislature, make sure that there is compensation. We'll never be able to compensate him for what he has gone through; we will never be able to restore what has happened in that family, to his children; but I think that, at the very least, we should be in a position to encourage us as a Legislature and as a government to do the right thing for Steven Truscott.

**Mrs. Christine Elliott:** I too would like to welcome Mr. Allain and the students from Humberview here this afternoon. I think it's wonderful that you have spent so much time and study on this subject, and I hope you're finding your experience here today to be a good one and very educationally rewarding for you.

I'm honoured to speak on this issue today. This is one of the most important and well-known cases in Canadian legal history and one that stands out from my time in law school, as I imagine it does for Mr. Kormos, for the Attorney General and for all the other members of this Legislature who are lawyers, because the facts of this case were simply horrific. I agree with the honourable member who just spoke about how, at the age of 14, having been convicted of a crime and sentenced to death, you can't imagine the relief of having the sentence overturned. You can't even imagine what it would have been like to have spent many of your formative years in a

maximum security prison. So for many reasons, this case stands out in my mind.

This was all a harsh reality for Mr. Steven Truscott. After serving his sentence to the satisfaction of the justice system at that time, Steven Truscott was released from jail at the age of 24 and placed on parole.

**1420**

As we've heard, he later married but was forced to live under an assumed name for many years and to try to raise a family under the closest-to-normal circumstances that could be afforded to him, considering what had happened to him in the past.

He was jailed for 10 years and proclaimed his innocence from the moment of his first accusation until this very day. In late October 2004, it was found by the federal Minister of Justice that there was "a reasonable basis to conclude that a miscarriage of justice likely occurred." The honourable minister then had the case referred to the Ontario Court of Justice. Steven Truscott was finally acquitted of the rape and murder of Lynne Harper by five judges in the Ontario Court of Appeal last year.

I'm sure that we can all agree that what Mr. Truscott had to go through was absolutely horrendous. He was the youngest Canadian on record ever to be handed the death penalty, and it wasn't until 40 years later that he was found not guilty. The circumstances here are unusual, to say the least. But today, the honourable member from Guelph is presenting to the House a private member's resolution to compensate Steven Truscott financially for the years of incarceration and social stigma that he has had to endure over the years.

I would like to cite an article in the *Toronto Star* written by Tracey Tyler which identifies that one of the factors often considered by governments in determining possible compensation on a case is the strength of a lawsuit or potential lawsuit that could be filed by the victim of miscarried justice. Nearly all compensation packages given by governments to a wrongly convicted person have been worked out between the government and the person's lawyer. I do commend this government for being proactive on this issue and considering Mr. Truscott's issues before any lawsuits were filed or even mentioned. I would also like to commend the member from Guelph for accessing the appropriate channels and finding out absolutely that the tabling of this motion would not interfere with any other ongoing legal issue being addressed on this matter.

But I must also remind the members of this House that the federal-provincial guidelines of course state that compensation cannot be considered unless factual innocence can be proven. We have heard from this case that, unlike several of the other ongoing cases that have been considered, that's not possible in this case. Unlike the cases of Guy Paul Morin and David Milgaard, where the victims were awarded substantial monetary compensation, they were actually able to be proven 100% innocent through the use of DNA evidence. That doesn't exist in this case because, unfortunately, the physical evidence that might have completely, absolutely exonerated Mr. Truscott was destroyed in 1967.



Last year, the then Attorney General asked Mr. Justice Robins to investigate whether compensation should be provided to Mr. Truscott. Mr. Justice Robins is eminently qualified to take on this issue, and he has been engaged in this process over the last number of months interviewing witnesses, presumably Mr. Truscott and the other parties to this whole tragic case, whom we haven't really mentioned yet—Lynne Harper's family. Presumably, there has been some thought given to interviewing members of her family. Of course, the impact of the guidelines have to also be considered.

There have been a number of matters that have been considered by Mr. Justice Robins, and I don't think that we should second-guess what his recommendations are. He has been the one who has had the benefit of collecting all of this information. We need to know what his report says. Maybe he's going to recommend compensation. It's hard to say at this point, because he does have to deal with the federal-provincial guidelines. Perhaps he'll choose to ignore them, perhaps he'll choose to make recommendations that they should be changed in these cases. But because of the fact that we, the government, asked Mr. Justice Robins to take on this task and to produce a report for our direction, in my respectful opinion, we should wait for that report before we make a decision on this. Even our Attorney General, Mr. Bentley, in response to my question yesterday, if I may quote from the Canadian Press, said, "I certainly will be very interested in what the House does.... I think it's important in my role to take the advice from Justice Robins, of course, and listen carefully to what the House says."

I would certainly like to reiterate my empathy for Mr. Truscott. There is no denying that what he went through was absolutely horrendous. But, in my respectful submission, there is something—we have tasked Mr. Justice Robins to produce a report for the direction of this House. Rather than vote on the basis of our sympathy, empathy or emotional response to this situation—in my view, it's premature to be making a decision without the full benefit of Mr. Justice Robins's advice, and I think it's premature to have a vote on that matter for that reason.

**Mr. Rosario Marchese:** I'm happy to join my colleague from Welland and echo many of the comments that he has made in support of the resolution that we have before us, where the resolution speaks of Mr. Truscott, who has been unanimously acquitted of murder by the Ontario Court of Appeal and proclaims in the resolution that Ontario should provide compensation to Mr. Truscott in recognition of the miscarriage of justice from which he has suffered for almost 50 years.

It is unimaginable to me what the wrongfully convicted must have gone through over the years—and in this case, 50 years of a battle to clear one's name. How do you live through it? How do you deal with it? How do you ever compensate for some wrong that has been done to you? It's so much easier for us, of course, not being in that person's shoes, to be able to rationalize and make intellectual arguments. But I can't imagine how difficult

it must have been for him and so many others. When do we learn and how do we learn, as crown attorneys, as police—and then those who are judges on the bench who, for so many reasons, create a view of the case or have a tunnel vision of somebody who they believe has committed the murder and they focus on convicting that individual? How, on the basis of those who have been wrongfully convicted, do we learn from the mistakes and hope never to repeat them?

I know how psychology works; most of us know how it works. We tend to create psychologically a view of a person's innocence or guilt, and once we have that view, we are fixated in that matter. And sometimes, as the evidence is presented, we transcend it because we believe that person is guilty. It's a serious, serious problem. And in this regard, I have to give thanks to lawyers like James Lockyer, who have been doing tremendous work over the years, on their own time and often free of charge, to defend people who have been wrongfully convicted. We need to congratulate and thank lawyers of that calibre for having the heart to represent people, and having seen the evidence, defend them, being able to overturn many convictions. I congratulate them for all the work they have done.

I, for one, am prepared to accept this resolution and to support it before I see the report by the former Justice Sydney Robins. I'm puzzled as to why, on the other hand, the Attorney General hasn't presented that report to us. He has it, has had it, has read it, and we're still waiting for the minister to pronounce himself on what it is that he's going to do on the basis of that report. I'm a bit critical of the Attorney General for not having announced a view on that report. But in spite of that, I believe, on the basis that Mr. Truscott has been declared a victim of a miscarriage of justice, that he deserves compensation, which is the least, in my view, that we can do and should do. So I'm prepared to support the Liberal member from Guelph and to support many other Liberal members who are going to support a resolution to push the Ontario government, through the Attorney General, to make sure that compensation is given to a man who has sought justice for 50 years to clear his name, for a murder he did not commit, and hope that we will have a unanimous resolution of all the members in this House to achieve this end.

1430

**Mrs. Laura Albanese:** I am very glad to rise to speak in support of the motion by the MPP from Guelph.

As a journalist, I followed the story of Steven Truscott throughout the years, and I remember the interest and the shock that Mr. Truscott's story sparked, and the compassion people feel when they still think about this case today. I remember when in October 2004, the Kaufman report led the federal Minister of Justice to find that there was a "reasonable basis to conclude that a miscarriage of justice likely occurred." After all those many years, the justice system once again was going to re-examine this case.

Finally, there was the beginning of acknowledgment that something had gone terribly wrong in the prosecu-



tion of this case. As many people, and perhaps especially as mothers would do, my thoughts immediately turned to my children. I imagined the little boy that Steven Truscott had been when he first got mixed up in the terrible tragedy for which he was later tried. What a terrible thing it was to realize that a little boy had not been protected, not been given the fair and impartial trial that we demand of our justice system. I asked myself, "What if that was my son?"

I know that many people were relieved to see the case referred to the Ontario Court of Appeal so that the process of justice could move forward once again. This case gripped our imagination. Then, of course, we know that in August 2007, this past summer, the Ontario Court of Appeal came to its conclusion. It set aside the conviction and acquitted Mr. Truscott.

I again found myself coming face to face with people who had been touched by the story of Steven Truscott. I live in and represent York South-Weston, a riding that is in the northwest part of Toronto, nowhere near the riding that my colleague the member for Guelph represents, and nowhere near where the original crime occurred. Yet, as I met and talked to people at their doors last summer, I found that some residents from York South-Weston who remembered that I had followed the story were once again putting themselves in the shoes of Steven Truscott and were commenting on the story. We wondered if such a fate would have been possible today, especially considering the recent advances in forensic sciences. But we all know that's not what happened in Steven Truscott's case.

The motion that I am supporting today put forward by the member for Guelph recognizes that the acquittal of Steven Truscott was the best legal decision possible, given the circumstances. But beyond the legal decision that applies to Steven Truscott, we as a society must go some way to reconciling the miscarriage of justice that he has suffered. Providing compensation will go some way towards ensuring that our justice system is held accountable. It would also provide some resolution to this case that has gripped us for so long. Thank you to the member for Guelph for tabling this motion.

**Mr. Mike Colle:** I also want to thank the member for Guelph for giving us the opportunity to be part of history here today. I think it's quite a daunting task to try and bring justice to Steven Truscott, and I commend her for doing this.

I also want to thank George Allain and the students at Humberview high school in Bolton here for also being part of history. They're not only participating in this private member's motion today, they've actually moved awareness toward getting more appreciation of the injustice done to Steven Truscott.

The member for Welland mentioned James Lockyer and his great work in this area of giving justice to those wrongfully accused. I also want to recall the great work done by Arthur Maloney, who long before many of us were here represented many convicted persons in Ontario. He fought day and night his whole career to end the death penalty. As a result of his pioneering work done at

that time, Canada eventually eliminated the death penalty.

You can see what could have happened. We all know about, as the students from Humberview call them, the three Ms: David Milgaard, Guy Paul Morin and Donald Marshall Jr. They would have been put to death if the death penalty had been left in Canada.

Judges, juries, prosecutors and lawyers are all human. They all make mistakes. We know that through DNA there are all kinds of people every day being freed. There was just a gentleman in the United States who spent 28 years in a Texas prison, and through DNA he was finally proven innocent. Thankfully, the death penalty wasn't applied in this case to this 14-year-old student. There are a lot of students here today. Just imagine what it's like.

The thing I could never figure out was—sometimes we hear lawyers talk and we hear technical and forensic experts talk: How can they have convicted this 14-year-old boy based on the contents of a stomach? The whole argument, in my layperson's viewing of the case over the last number of decades, was that it all hinged on the contents of a stomach and the timing of the disintegration of certain bacteria in the stomach. That was essentially the whole case that the crown had in convicting this 14-year-old boy. Then we found out later that even this evidence about stomach contents was, at best, very uncertain. Yet this young 14-year-old spent so many dark days behind bars.

This motion gives us an opportunity to correct a wrong. By standing up here today and voting in favour of the motion, we put aside all those arguments about the contents of that poor person's stomach—the victim's—and we put a human face on this tragedy and say, "Yes, this 14-year-old student, his family and now his children will finally get some justice."

Again, I thank the member, I thank the students and I thank the advocates who have stood behind Steven Truscott through all these years. Maybe we, in our own way, as members of the Legislature, can say, "Let's right this wrong here today."

**Mr. Frank Klees:** It's a very important issue before the House today, but what is disappointing to me is that not only does it show that there is a failure in our justice system; it shows a lack of leadership on the part of this government.

What I would question today and ask people across this province to consider is why, if the Attorney General of this province has a report in his hands that he has read, that he is privy to, and he has not shared that information with members of this House who are today being asked to debate the very issue that was put to a justice in this province to make a recommendation to the Attorney General—why are we, as a Legislative Assembly, being asked to debate an issue about which the Attorney General already has an opinion? He is now asking us to render a decision. I think it's highly inappropriate.

I would simply ask this: If the Attorney General felt that this was an appropriate forum, why is he not here to participate in the debate? If we believe that it's the role of the Legislature to make a decision like this, then why



would the Attorney General ask a justice to render his opinion?

I believe that we have a serious question about our jurisdiction here, and I'm concerned about how this government has failed to show leadership on this issue.

**The Acting Speaker (Mr. Jim Wilson):** Ms. Sandals, you have up to two minutes to respond.

**Mrs. Liz Sandals:** I'd like to thank my colleagues from York Centre, York South–Weston and Eglinton–Lawrence for their remarks, and from Dufferin–Caledon, Welland, Whitby–Oshawa, Trinity–Spadina and Newmarket–Aurora for their remarks. I would particularly like to thank the member from Huron–Bruce, who I hope members realize is the member from Clinton, for sending in her written remarks. I know that Mrs. Mitchell wanted to speak this afternoon, but she had an event that she was committed to in her riding.

1440

I think it's really, really important that the citizens of the community in which Steven currently lives, and the citizens in the community in which the original crime took place, are both saying, "Yes, there should be compensation."

I do want to take issue with the comments of the member from Whitby–Oshawa. In the first place, yes, it is true that there are federal-provincial guidelines for compensation that speak to the issue of factual innocence being proven. But it is not true that that has traditionally been what has been required. There have been numerous cases where compensation has been awarded that factual innocence was not proven, and many cases, then, where the federal-provincial guidelines have been ignored.

While I'm not a lawyer, I can certainly figure out when—excuse my language—the law is being a bit of an ass. We've got a situation here—

**Mr. Peter Kormos:** Never mind the lawyers.

**Mrs. Liz Sandals:** Peter gives me permission.

We've got a situation here where the law says—or at least this guideline says—that you should prove factual innocence, and then to send the case off to a forum where it's legally impossible to prove factual innocence. Of course, there is no factual innocence. The court acquitted him. He should be compensated.

**The Acting Speaker (Mr. Jim Wilson):** Just for members of the audience and the students here, the vote on this matter will take place about 100 minutes from now. We have two more ballot items to deal with.

## LORI DUPONT ACT (DOMESTIC VIOLENCE PROTECTION), 2008

### LOI LORI DUPONT DE 2008 SUR LA PROTECTION CONTRE LA VIOLENCE FAMILIALE

Mr. O'Toole moved second reading of the following bill:

Bill 10, An Act, in memory of Lori Dupont, to better protect victims of domestic violence / Projet de loi 10,

Loi, à la mémoire de Lori Dupont, visant à mieux protéger les victimes de violence familiale.

**The Acting Speaker (Mr. Jim Wilson):** Mr. O'Toole, pursuant to standing order 97, you have up to 12 minutes for your presentation.

**Mr. John O'Toole:** I want to first start by recording a bit of background on this particular case. The issue of domestic violence and the statistics in Canada over the last five years show that 1.2 million Canadians were victims of domestic violence. We need to look beyond the statistics and look at individuals and their families, and how we can best protect them as legislators.

We can give vulnerable people immediate access to court orders that will safeguard their lives and the lives of their loved ones. We can give vulnerable people immediate access to court orders. As well, applications for emergency intervention orders, as described in Bill 10, would be available 24 hours a day, seven days a week. That's access to justice. That's the theme of the entire legislation.

What draws my interest to this particular bill is looking even locally in my own constituency. The first instance was Jennifer Copithorn. Ten years ago, Glen and Brenda Copithorn lost their daughter Jennifer in a tragic accident outside her workplace in Bowmanville. In fact, it was across the road from my constituency office, and it reminds me each day I walk past there how we are all affected by these tragic events. Her boyfriend was charged with first-degree murder. Although this tragedy took place, as I said, years ago, it reminds us how vulnerable families can be.

Another case is Arlene May. In 1999, the court of Ontario held an inquest into the murder of Arlene May by her boyfriend, Randy Iles. Arlene May was murdered in March 1996 by her former boyfriend, who then killed himself. Arlene's murder followed months of abuse, threats and harassment, which she had reported to police numerous times. At the time of the murder-suicide, her former boyfriend had been charged with several offences against Arlene and was free on bail that prohibited him from having any contact with her.

Another sad case was Gillian Hadley. Gillian Hadley was murdered in June 2000 by her husband, Ralph Hadley, from whom she was separated. He had assaulted her and her disabled child, and had criminal charges pending against him. He had been charged with criminal harassment after stalking her following their separation. He was under a restraining order at the time of her murder, the issue here.

Lori Dupont from Amherstburg applied for a restraining order in April 2005 against Dr. Marc Daniel, an anaesthesiologist with whom she had had a relationship until it ended acrimoniously. But the man contested the order, and a court date to hear the case was set a month after her death. She was killed at her workplace, Hôtel-Dieu Grace Hospital, on November 12, 2005. She left behind her daughter, age 11, and her parents, Barb and John Dupont.

Domestic violence prevention in our community: We must pay tribute to the hard work in our communities on



a day-to-day basis. Laws are important, and that's why we're discussing Bill 10 today, but prevention of domestic violence is also a matter of education, awareness, support for victims, access to justice and other support issues. It takes hard work and dedication for an entire community.

In my own community of Durham, I, Mrs. Elliott and the other members from Durham, I'm sure, have worked closely with the DRIVEN program—Durham region's intimate-relationship violence empowerment network—and Detective Tracey Marshall of the Durham Regional Police, and the work they do on an ongoing basis. DRIVEN is hosting a domestic violence disconnect workshop on June 18. I have attended and worked with the organization and have respect for the work they do.

Bethesda House, executive director Jaki MacKinnon: I've worked with her, as well as the ministry, in supporting shelters and other services they provide.

Luke's Place: executive director Carol Barkwell, and the work she does.

Women's Multicultural Resource and Counselling Centre: Esther Enyolu.

Neighbours and friends and all of the families I've mentioned play an important part of the education, outreach and support that I have mentioned.

Importantly, Ron Dancey, who is the retired director of health and social services of Durham region, is a strong advocate on social issues within Durham region at all times.

I would like, with your indulgence, to take a few minutes and acknowledge an e-mail that I received today from Barb Dupont, the mother of Lori. It says:

"Thank you so much for keeping us informed of the status of the bill and your invitation to attend the second reading. Unfortunately I have a previous commitment ... in memory of my daughter, Lori. Physically, I will not be present with you on Thursday, May 15, but I will be there emotionally and thinking about what is taking place as a result of my daughter's tragic death."

In fact, I believe she's presenting a bursary for Nursing Week this week. Her daughter being a nurse, it was appropriate for her to be there to celebrate that recognition.

I have an e-mail from Greg Monforton, the lawyer for the Dupont family: "I sincerely applaud your efforts on behalf of all those within our province impacted by the blight of domestic violence. It may very well be that Lori Dupont's tragic murder could have been prevented if she had access to the type of measures contemplated by your bill."

In fact, the bill comes right out of the recommendations of the inquest. This was one of a number of a number of recommendations that was picked up, and that's indeed the genesis of the bill itself.

Karen Bertrand, local coordinator for ONA, the Ontario Nurses' Association, local 008—Lori was a member of this particular local—took the time as well, and she says: "I received a copy of Bill 10, An Act in memory of Lori Dupont, that you have introduced as a private

member's bill in the Ontario Legislature. I am writing to offer my full support of this bill and want to thank for your initiative. What a powerful way to effect positive change in Lori's memory."

That's really the most personal aspect of this, and why it's named the Lori Dupont Act. "I do believe"—she goes on to say—"that Bill 10 will make a difference and provide some protection to those who are in domestic situations that threaten their safety. It is important that the protection can be accessed any time, day or night. And I note your bill speaks to Sunday situations as well."

One of your colleagues, our colleague the member from Glengarry—Prescott—Russell, Jean-Marc, wrote—and I appreciate that as well: "Jean-Marc had to be in the riding tomorrow but had asked me to let you know" that he was in support of the bill.

I'd also like to recognize the work of my son and his good friend who actually came up with the idea when we talked about it as a family. I have three daughters, and my wife and I feel drawn into their families, and we were discussing the tragedy in my community and this whole domestic thing. Erin, my oldest boy, who is a practising lawyer, came up with the idea and looked at the history.

#### 1450

The history is that there has already been a bill in the Legislature. It's really important that we take note of that. I believe it was Bill 117, introduced by Jim Flaherty back in September 2000. It received royal assent, but it has never been proclaimed. I've inquired with Mr. Bentley, the Attorney General, and I'm curious to this day why it has not been given assent into law.

By doing this, all of us, with our voices today, can perhaps get the Attorney General the support he needs to move forward and act on this bill, so we can all feel a part of doing the right thing. That's an empowerment we often don't share in the Legislature, which many times works more in a political manner rather than working for the rights of the people of Ontario.

Domestic violence is a crime against abused people. It deeply affects children who witness violence in their families and destabilizes the family itself. Domestic violence is a crime against the very foundation of an orderly society and strong family units.

I have previously mentioned the figure of 1.2 Canadians affected by domestic violence. This means that in real terms an estimated 653,000 women and 546,000 men encounter some form of domestic violence. Bill 10 would provide prompt intervention to protect victims of domestic violence similar, as I've said, to Bill 117, passed in 2000 but never proclaimed into law. Requests for frequent intervention orders could be made 24 hours a day, seven days a week. Designated judges or—and this is important—justices of the peace would be available to hear applications for emergency intervention orders.

Think of the cases where someone has applied for an order and has to wait for a court date. In the intervening time, as happened in Ms. Dupont's tragic circumstances—the least suspecting person of all, thinking the justice system is there for them—there's no method of



bringing action against someone until that order is actually executed. Applications or sworn statements by telephone would be accepted. Non-emergency applications would be made through the family court system.

Respondents to cases where a spouse or domestic partner fears for their safety because of abuse, threats of violence against themselves or family members, or stalking—victims and their respondents have 30 days to request a hearing to change or halt the emergency intervention order. Domestic violence intervention orders are similar to the restraining order for abusive partners or ex-partners. However, under the Domestic Violence Protection Act, they could be clearer, more enforceable and more accessible, and would allow for criminal charges when breached. What the ultimate charges would be for breaching the order is very important.

In the December 2007 inquest into the death of Lori Dupont, there were 26 recommendations including initiatives to protect workers from domestic violence in the workplace. In fact, I have written to the Minister of Labour on the issue of making harassment a health and safety issue within the workplace. Much of what we've talked about is tolerance and is best dealt with by educating people. That's what I hope to hear today, as I hope the Attorney General does as well.

Some of the things an intervention order can do, as I've said, would include preventing the respondent from approaching the victim, their relatives or their family, and preventing the respondent from communicating with the same. It may require the respondent to get counseling, which I think is extremely important. It may require the respondent to vacate the applicant's residence.

There are a number of initiatives that I think are important. But most important of all, each of us has a responsibility to educate against domestic violence in whatever form. Violence in any form is an assault on society itself. We can have major disagreements in this Legislature, but we can still respect one another. That's what I think we should take out of today.

I'm in hope that the discussion today will assist the Attorney General to leverage the bill that exists, Bill 117, into law. Nothing more than doing the right thing would be the outcome.

I appreciate the opportunity to listen to other voices on this today, and I look forward to the debate. At the end of the time, I hope the minister does the right thing and moves this into law.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Ms. Andrea Horwath:** It's my pleasure to rise this afternoon and speak a little bit about Bill 10, the Lori Dupont Act (Domestic Violence Protection), 2007. I think, first and foremost, it's important to acknowledge that the member has brought forward a bill for a very important reason, and that is a bill that is to protect people who are experiencing domestic violence, to find ways to provide the supports and the assistance that are needed, the pieces that we can actually get to through legislation, so that at every possible turn, there is an

opportunity for a person—most often a woman; let's put the facts out there—to be able to escape a situation of family violence, domestic violence, woman abuse or spousal abuse. There are many ways that we say the words oftentimes, and the women who are active on these issues would rather we say it straight out. If it sounds ugly, that's okay, because it is ugly. Sometimes words like “domestic violence”—it doesn't sound as brutal.

**Mr. Rosario Marchese:** It sounds euphemistic.

**Ms. Andrea Horwath:** It almost sounds euphemistic, my friend from Trinity-Spadina says. So we use words like woman abuse, violence against women and those kinds of terms to actually state out front the brutality of the kinds of experiences, unfortunately, that many women have at the hands of their partners. Lori Dupont was one of those women—Lori Dupont was one of those many women, as the mover of the bill actually indicated in his remarks. The reality is that there are women today who are experiencing domestic violence as we speak, and there will be women tomorrow who are being battered by their spouses or by their significant others. It goes across every socio-economic strata. It goes through every ethno-cultural community. There's no boundary, if you will, to the women who will experience domestic violence in their lifetime. In fact, the statistics are staggering.

It's interesting: What this bill, really, is trying to do is get the government to move on a bill that has been put in the Legislature in the past. There had been a bill introduced, Bill 117, that had gone through a great deal of work here in this Legislature. It passed third reading, but the bill was never proclaimed. So it would be pretty easy, actually—my friend Peter Kormos says that he was the justice critic at the time, and he sat on the committee that reviewed that bill at the time, and he says, quite clearly, that this can be addressed pretty much immediately. All the government needs to do is proclaim Bill 117.

I don't purport to have depth of knowledge about Bill 117. I know that my friend the member for Welland has gone through that process. He assures me that there was a lot of great stuff in Bill 117. There was a lot of good work done there, and that at that time, we were supportive of Bill 117.

But the issue that has to be kept in mind is that any number of pieces of legislation that we have are only beneficial to the point that they're actually utilized and brought into a living sphere to help the women in communities across this province who are facing this kind of abuse. I have to say, there is a lot of work that needs to be done in that vein. We have huge situations—I guess I can call them situations. We have had a number of lobbies. We have the Step It Up! campaign, where the women's movement has come here and put 10 steps in front of us of what this government needs to do to start addressing domestic violence. We know some of the huge gaps in service that exist. We know that women's shelters are absolutely underfunded. We know that sexual assault centres are absolutely underfunded. If I'm not



mistaken, sexual assault centres are one of the only organizations or groups that provide service in Ontario of this nature—which is an absolutely important and immediate support for victims of violence—that are required to fundraise a significant amount of their budget. They don't get a basic operational budget. They are required to, as part of the pact or relationship with the government—and I'm not saying that it's just this government; I'm sure it's an historic issue.

1500

The reality is, these services are needed. They're necessary, and as a society, we need to take care of these women and provide the opportunity for them and their children to escape violence. That opportunity includes things like full funding of sexual assault centres and transition houses. We lost 28 transition houses in Hamilton—28 units gone because the government wasn't prepared to maintain the funding. So we're losing services.

The government puts forward programs that tell families, neighbours and friends that if you're seeing a situation of domestic violence—and here's what it looks like—then you should intervene and get that person help; you should send this person to a website or give them a phone number. But the problem is, if women actually take that advice from their neighbours, friends and family members who are intervening on their behalf, guess what? Sure, they can go and lay charges. Sure, they can do all that kind of thing. But guess what? There are no services for them once it's done. They can't get into a shelter. There isn't any transitional housing. There are no supports: no employment supports, no clothing allowance, no travel supports. Alberta has all those things, but of course I would be naïve to think that Ontario would want to have anything that Alberta would have when it comes to programs for domestic violence. Shocking that we actually don't have programs as good as in a place like Alberta, but nonetheless—

**Mr. Rosario Marchese:** Legal aid, for example.

**Ms. Andrea Horwath:** We don't have legal aid supports for women who are leaving domestic violence situations, women who are trying to escape. Legal aid—who's kidding whom? We don't have enough legal aid for anybody, but in this situation particularly, the financial burden that a woman is already facing when she makes the decision to finally leave—because we know that it sometimes takes two or three times before a woman is actually able to leave an abusive situation. When they finally get to that point where they leave, lo and behold, they find out that all the things that are talked about, and indicated in all the rhetoric that these things are available to women, are not available.

One of the things that happened in Lori Dupont's horrific situation: As we know, she was a nurse and her ex-partner was a doctor, an anaesthetist, I believe, who worked in the same hospital. She had told her employer many times that she was being threatened and felt uncomfortable and was worried about that situation in the hospital. The inquest came out with a number of specific

recommendations, and it wasn't new in terms of these kinds of violent situations that then translate into the workplace, because there have been others that have had the same experience in the past, where a supervisor or someone in a position of power in the workplace in these cases were sexually harassing these women, but the bottom line is the same. In a workplace environment, when we know there is harassment and violence going on, it's not good enough for the employer to just walk away from that, to close a blind eye and pretend that there is no obligation.

In fact, one of the things that I've done myself—I used to have a similar bill in Lori Dupont's memory, around sexual harassment in the workplace, and I've recently reintroduced it. It's about harassment and violence in the workplace. So it's expanded a little bit, but it's an amendment to the Occupational Health and Safety Act, which is actually one of the things that are in the jury recommendations on the Lori Dupont inquest. One of those recommendations includes the right to refuse unsafe work or that the Occupational Health and Safety Act be reviewed to determine whether there can be amendments made that would give protection of women, or protection of people but women most often, so that they can refuse to work if they think their life or well-being is threatened. It's a simple measure. Simply adding that to the reasons for work refusal: harassment and violence and bullying in the workplace.

Many other jurisdictions have already done this. In fact, in some of the Scandinavian countries, there are healing centres where workers go if they've had that experience, and they get counselling and supports.

There's another thing, putting aside Bill 29 and going back to Bill 10: The reality is that women who are leaving domestic violence situations, women who are leaving a situation where they are being abused in their home, don't have access to the kinds of counselling, their children are not getting access to the kinds of counselling, that are necessary. This violent behaviour, this abuse, does a lot of things to a woman and it does a lot of things to the children who witness it, a lot of things emotionally and psychologically. It causes a great amount of trauma and a great amount of distress, not only physically, yet the supports that are necessary to make sure that women can become whole again, that they can begin to rebuild their lives, that they can begin to go back to work, that they can begin to go back to being nurturing parents with their children after leaving that traumatic situation—those supports aren't there. The counselling doesn't exist. I shouldn't say it doesn't exist, but there isn't enough of it there to support women as they leave these situations of abuse.

This bill might have a few problems in it. There are some things that we're a little a bit concerned about. We really think that this bill deserves a hearing at a committee level. I'm really hoping the member is successful in getting this bill into a committee so that we can review it in greater detail and get some input from particularly women and women's organizations, who have been



working so hard in this field for a very long time here in the province.

**Ms. Laurel C. Broten:** I'm pleased to join in the debate on Bill 10, An Act, in memory of Lori Dupont, to better protect victims of domestic violence.

I want to start by expressing my sincerest condolences to the Dupont family, to the extended community and to the professional community, which have suffered as a result of what is a tragic loss.

I want to talk about the fact that I've worked in this field for many, many years. My first volunteer experience, as a very young teenager, was working in a domestic violence shelter, observing and seeing the tragedy of women fleeing abusive relationships. As a young lawyer, it was a very large part of my practice. I would have to say to you, Speaker, that I sought and obtained more restraining orders than I care to think about.

In obtaining those restraining orders to protect women and their children, I often sat at my computer drafting the documents that we would need to obtain that court protection with tears streaming down my face. My clients were telling me horrific, heart-wrenching stories, and we were taking that information and using the justice system to the extent that that system can be used to protect women and their children who seek to flee abuse.

When I came into this House, I was pleased that very early on in our first mandate, under the leadership of the Premier, I was asked to develop a comprehensive domestic violence action plan. As part of that plan, we invested \$82 million in a four-year domestic violence action plan that sought to emphasize prevention and better community support for abused women and their children. Not to say that we did not do a great deal of work to improve the legal protections for women and their children, but as a lawyer who understood firsthand that only about 30%—30%, 35% or 36%—of women will seek protection from the justice system. There is so much more to do.

As part of that domestic violence action plan, we sought to improve restraining orders, to work with the justice community and the community partners to make changes to improve that system so that it could be turned to by women in circumstances such as Lori Dupont's, because Lori Dupont was in a very clearly identified high-risk group. She had recently separated and she had had what was a historically difficult relationship, an abusive relationship, with her spouse.

The work that we did was comprehensive in terms of making sure that there is a variety of initiatives put in place amending the Children's Law Reform Act to require courts to consider, for the very first time, domestic violence when making orders relating to custody and access—it's a significant improvement; reviewing the proposed standard form for restraining orders; spending \$1.4 million to fund the partner assault response program and to strengthen victim support; to expand the bail safety project; to allocate funds for domestic violence within the francophone community and other identified high-risk communities; to expand the domestic violence

court program to all 54 jurisdictions in Ontario; and to make sure that we had a new early victim contact program and additional funds for supervised access. In the time allotted, I'm not able to go through all of the achievements that were made to improve and protect women who are, unfortunately, victims of domestic violence. But what I do say to you is that there is always more work to do.

1510

Community groups in my community of Etobicoke-Lakeshore: MicroSkills, helping women who are fleeing abusive relationships gain those critical skills so that they have the economic independence to establish themselves on their own, look after their children, and make sure that they have a safe place to go. Women's Habitat is doing incredibly important work in that regard.

As I worked to develop the domestic violence action plan for the province, I went to those experts to talk to them. We had some 30 roundtables in a number of months to ask, "What do you think are the areas of importance that the government should take action on?" One of the things that was clearly identified to us was that there was a great deal of concern with respect to the proposed bill, the domestic violence protection bill, that it would not be workable on the ground.

So I stand today to say that there is obviously more work to do. We need to hone in on how we can best protect women, because there's no doubt in my mind that every single member of this Legislature is going to stand up and say that they want to better protect women. But we need to take guidance from those experts to make sure that whatever we put in place can truly be used to protect women and children, and that we make sure we put in laws and protections that are workable. That's my goal here today.

The previous speaker to this bill talked about a private member's bill that she had put in place. I would say to you that I too put in a bill that examined specifically protecting against violence and workplace harassment. It was Bill 131, which was to amend "the Occupational Health and Safety Act to impose duties on employers, supervisors and workers" when it came to workplace violence and harassment. I based that bill on ideas raised by the Centre for Research and Education on Violence Against Women and Children, entitled Workplace Harassment and Violence. In that bill, I provided some clear detail and a concrete set of formalized policies and procedures to be put in place in workplaces with specific regard to acts of violence in the workplace, and that we should have a process whereby the employers would understand the severity of the threats and potential violence against an individual in their workplace.

I would suggest that the place for us to go at this point in time is to have a dialogue again on how we can refresh our laws that protect women. Because we always need to continue to increase those protections and make sure that we keep our workplaces free from violence and bullying. We have made amendments with respect to the Ontario Human Rights Code, and some of the experts that I've



worked with over some 20-plus years have indicated that they believe that will be an avenue of increased protection. We need to make sure that our judiciary, our crown attorneys, all of those in the criminal justice field and protection field are best able to protect women.

We all want to keep them safe in all aspects of their lives. Today is a good day for us to talk about further steps that we can take by this Legislature. I look forward to being involved as we continue to do more, as we always should, to better protect women and their children around our great province.

**Mrs. Joyce Savoline:** I rise in the House today in support of my caucus colleague from Durham on Bill 10, An Act, in memory of Lori Dupont, to better protect victims of domestic violence. I congratulate my caucus colleague for taking this initiative, but I also want to extend my sympathies to the family of Lori Dupont, who are left to bear this burden and this horrible tragedy.

It is sad that Ms. Dupont's tragedy is not an isolated incident. There are similar cases across this province, and I am proud that my colleague from Durham is taking action on this.

In Burlington, we have a very special facility within the confines of Joseph Brant Hospital, and it's called Nina's Place. Nina's Place is a sexual assault and domestic violence crisis centre, named in memory of Nina de Villiers. Nina was the victim of a tragic assault in Burlington in 1991. Nina's Place provides specialized care, police services and agency referrals for men, women and children who have experienced sexual assault and domestic violence within the past 72 hours. This is a safe haven that protects both the rights and the needs of the victim.

It was just last week that I attended an open house at Nina's Place, and I continue to be so impressed by the endless compassion and quiet optimism demonstrated by the staff and volunteers. Nina's place staff and volunteers work tirelessly to assist victims of domestic violence cope with the tragedy they have experienced and, hopefully, to help them heal.

It is a testament to the strength and courage of a mother, Priscilla de Villiers, that victims of sexual assault and domestic violence not only have a safe haven in which to seek shelter and care, but the approach of law enforcement officials and corresponding legislation has been impacted in a positive way by this courageous mother.

We can offer victims of domestic violence much-needed peace of mind by supporting Bill 10. These victims have witnessed our justice system fail them time and time again. As legislators, we have a tremendous opportunity, but also a responsibility to prevent a tragedy from occurring by giving victims of domestic violence access to emergency intervention orders 24 hours a day. Emergency intervention orders are a help to the risk of victims. These orders will have the power to restrict someone who is threatening or harassing a former domestic partner from contacting that partner or their family.

I don't want to use too much time with statistics, but there are three that I think are really important on why Bill 10 ought to be supported. They're very disturbing: First of all, 64% of female homicide victims are killed by their current or past partners; 87% of sexual offenders are actually known to their victims; in Canada, four out of five people murdered by their spouses are women murdered by men.

As a mother and a grandmother, when I read these statistics, I am quite appalled. These numbers are much too high, and action must be taken to stop these incidents before they start. Bill 10 offers that extra layer of protection in a complex and emotionally charged situation. It's been my pleasure to speak to this bill today.

**Ms. Leeanna Pendergast:** I'd like to begin by complimenting my colleague from Durham, who mentioned that this is about education. As a teacher, I say, yes, it is. It's about educating our society and our community about domestic violence.

Our government is committed to finding better ways to protect women and children from domestic violence. Each year, this government invests more than \$190 million in support to protect women from violence, including counselling and support services. The McGuinty government is investing \$82 million in a comprehensive, four-year domestic violence action plan. It emphasizes prevention and better community support for abused women and their children, as we heard under the guidance of my colleague from Etobicoke-Lakeshore.

I'm reminded of a quote. Of course, as an English teacher, I always have to give you a quote. This one today is from George Santayana, who says that we must always remember the past so that we're not condemned to repeat it. I'll say it again. We have to always be reminded of the past so that we're not condemned to repeat it.

So let us remember the tragic story of Lori Dupont and always honour her memory. But we must never repeat it. We must always remember so we're not condemned to repeat it.

1520

This government, the McGuinty government, has a plan. We have a domestic violence action plan, supported by \$82 million over four years, to protect women and their children from domestic violence.

Let me share with you some of my personal experiences in this area to illustrate our government's commitment to support for victims of domestic violence. On April 17, I had the honour of participating in an announcement with Attorney General Chris Bentley and Minister Matthews, the minister responsible for women's issues. It was an announcement of \$8.2 million in new funding to ensure that women who are victims of abuse and their children get help faster and are better protected from future harm.

Two weeks ago, I had the privilege of launching, on behalf of Minister Matthews, the Neighbours, Friends and Families for York region along with Chief Armand La Barge and Superintendent Pederson. Let's be clear:



Domestic violence is not a private matter. It touches all of us and we all have a responsibility. Neighbours, Friends and Families is designed to help people recognize the warning signs and the risk factors. Again, it's about teaching people how to reach beyond the doorsteps and help people in their community.

Our government recognizes that breaking the cycle of domestic violence is complex. There are no easy answers. In Kitchener, we have a one-stop shopping model, and it exemplifies the community partners working together. The family violence project of Waterloo region is a one-stop shopping model. By entering the door, the victim can connect with a person they can trust, who will guide them through a number of services, all in a caring and supportive environment.

It's housed in the Catholic Family Counselling Centre in Kitchener under the leadership of Cathy Brothers and Andrew Wilding. Pam Mank coordinates the services. Waterloo Regional Police Service houses their domestic violence unit right in Catholic family counselling, under the leadership of Staff Sergeant Sean Tout. The crown attorney is under the same roof, Theresa Donaldson; and Mary Zilney, with women's services is, again, under the same roof.

This one-stop shopping model exemplifies several key aspects of this government's commitment to ending domestic violence, including a living model of community partnerships. Collaborative partners are committed to working together to end the cycle of domestic violence. Not only will we not repeat a past that had no plan to deal with the complex problems of domestic violence, this government is leading in finding better ways to protect women and their children from domestic violence.

**Ms. Laurie Scott:** I'm pleased to join the debate this afternoon on Bill 10, An Act, in memory of Lori Dupont, to better protect victims of domestic violence. I wanted to thank the member from Durham for introducing this bill that would give victims of domestic violence access to emergency intervention orders 24 hours per day. The orders would have the power to restrict someone who's threatening or harassing a former domestic partner from contacting the partner or their family.

It could have made all the difference in the case of Lori Dupont, and thus, the name of the bill today is in memory of Lori Dupont, who was a nurse at Hôtel-Dieu Grace Hospital in Windsor. In November 2005, she was stabbed to death by her former boyfriend, who was a doctor at the hospital where they both worked.

I think that most of the members here know that I was a nurse for over 20 years, and now, as a legislator in the province, I feel strongly that it's my role and the role of everyone here in the chamber today to do what we can to protect those who can't protect themselves, whether they're nurses, home workers, spouses—anyone who can't protect themselves.

In the case of Lori Dupont, according to the Windsor Star, Ms. Dupont was accompanied by her mother, a friend and her nursing union representative. They went to the courthouse on Monday, April 11, 2005, and applied

for a restraining order against Dr. Mark Daniel. The doctor subsequently opposed the action, which forced a hearing before a justice of the peace that was eventually scheduled for December 22, 2005. That was more than a month after Lori Dupont's murder.

Had Ms. Dupont been able to get proper intervention, as outlined in the member for Durham's private member's bill today, the story would have had a completely different ending.

The Windsor Star also pointed out that this tragedy was considered a workplace harassment issue because the management of the hospital had scheduled Lori Dupont and Dr. Daniel to work the same shift. Ms. Dupont's family, the Chatham-Kent Sexual Assault Crisis Centre and the Ontario Nurses' Association were very disappointed when the Ontario Ministry of Labour decided not to launch an investigation into workplace harassment and ministry spokesman Matt Blajer concluded the matter was a murder.

In December 2007, the inquest into the death of Lori Dupont made 26 recommendations, which were welcomed by the Ontario Hospital Association, and included initiatives to protect workers from domestic violence in the workplace.

I commend the member for Durham for doing his part in taking a horrible tragedy, a very unjust situation, and coming forward with something that will increase the protection of victims and provide a further line of defence for victims of cowardly violence.

**Mr. Peter Shurman:** I rise as well to speak in favour of this private member's bill on behalf of my colleague the member for Durham.

Like all members of this House, I wish there wasn't a need for the Domestic Violence Protection Act or the Lori Dupont act. However, domestic violence is a blight that continues to mar our community, making legislation like this sadly necessary.

The House has heard the estimate, which my colleague has brought forward, that there are approximately 1.2 million cases of abuse like this in Ontario. I find that hard to believe, frankly, because that is based on what is reported in estimates that our enforcement people bring forward. I would surmise that it's significantly larger than that.

I personally support less government and laws that protect me from you and you from me. That sort of protection was never afforded to Lori Dupont, and she paid the price. She lost her life. Lori was a devoted mother to her daughter. She was a dedicated nurse at Hôtel-Dieu Grace Hospital in Windsor. She was also a victim of domestic violence, and the bill honours her and, in her name, attempts to end that cycle. What a fond hope.

Her case revealed tragic shortcomings in our legal system as it pertains to the issue of domestic violence. These shortcomings crossed her life, but I have to point out that domestic violence didn't just cost Lori her life; it crosses all lines. It crosses the lines of religion, race,



colour, family income and whether someone lives in an urban or rural environment.

Dupont was so fearful of her killer—her former boyfriend, and a doctor who was also employed at the hospital—that she asked for security escorts to her car after her night shifts at the hospital. Dupont applied for a restraining order against the doctor in April, but he contested the order and a court date to hear the case was set for December, denying her a key tool of protection. This bill addresses that flaw—the flaw that cost her life. It doesn't matter where she was. She happened to be in Windsor. It could have been Thornhill, it could have been Mississauga, it could have been downtown Toronto.

Officials from Hôtel-Dieu said they earlier considered firing the doctor—the boyfriend—after she complained that she feared for her safety and was being harassed when they ended their relationship. The hospital concluded that there wasn't sufficient evidence to take action, and that's so often the problem—the time delay. How serious is this? In Lori's case, the answer is clearly obvious.

The act would allow for designated judges or justices of the peace to be available to hear applications for emergency intervention on the basis of 24/7 access, and allow non-emergency applications to be made through the family court system. That is essential. Under this act, intervention orders will be clearer, more enforceable and more accessible to those in need, and would allow for criminal charges when breached.

Two final points: The provision for emergency intervention orders is key to this legislation and key to stopping this cycle. It allows action to be taken immediately, without prior notice to the offender. We have too often protected the perpetrator and too seldom protected the victim, whose rights need protection to begin with.

Lori had to wait for her restraining order. If emergency intervention had been available, it could have protected her.

1530

**Mrs. Christine Elliott:** I'm very pleased to have the opportunity to speak, for a few minutes anyway, on Bill 10, An Act, in memory of Lori Dupont, to better protect victims of domestic violence.

I would like to commend and congratulate my friend and colleague from Durham for bringing this matter forward, to basically revive and again bring forward Bill 117 with some changes to further strengthen it. Of course, I'm proud that this bill was originally brought forward by the previous member for Whitby—Oshawa.

What comes through to me, in all of our discussions this afternoon, is how many times we have heard about this happening. How many times have we heard about this cycle repeating itself with people like May-Isles—the May-Isles tragedy was the initiation for Bill 117 in the first place—Gillian Hadley, a resident of Durham region who was murdered in her front yard by her former husband, and now, of course, Lori Dupont, who is the subject of this particular case coming forward? What

haunts all of us, I think, is the what-ifs: How close they were to safety, how, if they had only had the safety of an intervention order in this case, their lives might have been saved and, in many cases, their children would have been left with a mother.

I think it's important that we take this time to pause and reflect about what we really are doing in this situation. We like to talk about it a lot, we like to have a day to talk about how domestic violence is terrible, and it is, but what are we actually doing to put our money where our mouth is?

I'd like to say, with all due respect to the member for Kitchener—Conestoga, who was talking about all of the wonderful things that the McGuinty government is doing to prevent domestic violence, if they were really serious about it, why didn't they proclaim into force Bill 117? Why have we not acted on it? Why do we just have another website to call? I totally agree with the comments made by the member for Hamilton Centre, who indicated that we need to have more resources to support women who find themselves in these situations. We need to put more money into shelters and housing for them to transition into employment and so on so that they can get away from these circumstances and be able to live in safety with their children.

I think we need to seriously take a look at this legislation. I do hope that all members on all sides support this. We need to take a step in the right direction and we need to start to move toward action for victims of these terrible crimes.

Please support Bill 10. It's important, and I think that many women in the province will be very grateful for the support they will get by having immediate access to intervention orders.

**The Acting Speaker (Mr. Jim Wilson):** Mr. O'Toole, you have up to two minutes to respond.

**Mr. John O'Toole:** I would like to thank all of the members who participated here today, members for Hamilton Centre, Etobicoke—Lakeshore, Kitchener—Conestoga, Whitby—Oshawa, Thornhill, Burlington, Haliburton—Kawartha Lakes—Brock and Dufferin—Caledon. In fact, I would say to all of them that the haunting stories we've heard today are the reminder and the purpose for this bill this afternoon.

By no means is it the whole solution, but it is the right solution, and it's one of the solutions. It's one of the recommendations from the coroner's report. I would encourage all members not to think of this as a perfect solution. What I'm calling for is your support to have hearings on an important social issue and allow the Attorney General and all the stakeholders to look at this as something that's a priority. It's a social consequence for all of us in some way in our communities as elected members and leaders. And it should be a non-partisan discussion. Some did bring that part into it. But doing the right thing today is just sending this out to further hearings and further consultation, among the many less important issues that are before us, some of the current legislation that may be occupying our time. This is



important. This is about people's lives. It's about giving the stakeholders the right tools and the respect to find solutions.

I would say that after this debate today I am encouraged that, even when speaking earlier with the Attorney General, they get it as well, by sending the right signal in unison here today. Not just the police but the courts are the right place to resolve some of these disputes. Counselling may be important. It isn't like there's one solution for all of these domestic issues, except we can send the message today that it's important to us that our children and families are safe in Ontario.

## APOLOGY ACT, 2008

### LOI DE 2008 SUR LA PRÉSENTATION D'EXCUSES

Mr. Orazietti moved second reading of the following bill:

Bill 59, An Act respecting apologies / Projet de loi 59, Loi concernant la présentation d'excuses.

**The Acting Speaker (Mr. Jim Wilson):** Pursuant to standing order 97, Mr. Orazietti, you have 12 minutes for your presentation.

**Mr. David Orazietti:** I appreciate the opportunity to be here this afternoon to speak to this bill. I'm going to read the legal jargon, and then I'm going to talk a little bit about the importance of this bill and why we need to pass this.

"The bill provides that an apology made by or on behalf of a person in relation to any civil matter does not constitute an admission of fault or liability by the person or an acknowledgment of liability in respect of a claim in relation to the matter, does not affect the insurance coverage available to the person making the apology and is not admissible in any judicial or quasi-judicial civil proceeding."

That's the legal framework of this, but I want to spend a few minutes talking about the importance of the bill and why we need to pass it.

First of all, we're talking about our civil court system in Ontario. We are not talking about criminal courts in any way.

If we're going to pass this bill and say that someone who makes an apology in relation to an issue—it does not come before the court—it can't be used against them. But it doesn't take away anyone's rights and it does not preclude anyone from seeking a remedy in the court that they feel is appropriate. I want to make sure that we're all clear on that because that's an important aspect of this piece of legislation. It was also an important aspect when it was discussed in other provinces in this country and when it was passed there as well.

I see this bill as being complementary to our court system. It gives people the opportunity to have closure, to speak frankly in relation to an issue, whether it's a health care issue or a legal issue or some other matter, without having those comments that they're making used against

them in a court of law. This has been very constructive in other provinces and it has been very constructive in many US states, and I'm going to talk a little bit about that. But it does not prevent someone from seeking a remedy in the courts, whether or not an apology has been made. So it's certainly not taking anyone's rights away, and I really see this bill as being complementary to them.

I want to talk a little bit about the jurisdictions in which this type of legislation has passed.

It's relatively new in this country. In May 2006, British Columbia was the first province to pass this type of legislation, as a stand-alone piece of legislation. It was passed in Saskatchewan as an amendment to their Evidence Act in May 2007, about a year later. It was subsequently passed in Manitoba, it being the most recent province to pass this type of bill, in November 2007.

It was introduced in the Legislature in Manitoba by a fellow by the name of Jon Gerrard, who was actually a physician and saw a need for this. He said that he was hearing from many people over the years who felt aggrieved that they had failed to get a simple apology—speaking from his profession—from a physician or a nurse even though their conduct had been condemned by a professional association or even the court system. So he saw this as an individual who is a physician in Manitoba as an important way to help resolve some of the issues around—whether it's the health care sector or others—and create an opportunity for a remedy and resolve issues outside of the court system, but, again, not precluding somebody from having the opportunity to take their issue to the courts.

In the United States, there's a little longer experience with this, and there's more comprehensive legislation that has been passed, and it has been passed in a couple of different ways. Thirty-five US jurisdictions have some form of apology legislation. They've passed it in two different ways. For example, in states like Massachusetts, Texas, California, Florida, Washington, Tennessee, Hawaii, Missouri and Indiana, they've decided that they would have a comprehensive apology bill or legislation. In other states, the more populous states, they've limited it to the scope of health care alone. Let's talk about the differences just for a moment. In the states where they have comprehensive apology legislation—you can think of examples, obviously, outside of the health care field. Let's say we're at a construction site and there's a crane operator who's moving some heavy equipment around and something happens on the site and someone is seriously injured. The crane operator knocks something over and injures someone. It might be a colleague or a friend that they've worked with for 20 years. If they run over to their side, as most people would, to try to help them, to get them some medical attention and to say they're sorry, that it's their fault, they didn't mean to do it—those comments, if there are other people around, can be used against them in a court.

1540

So in many US states, they've decided that comprehensive legislation is appropriate. That's really what this



bill would be about. In Manitoba, Saskatchewan and British Columbia, apology legislation was passed in a comprehensive form. That means it's applicable to all Ontarians. Any Ontarian would be able to express remorse or regret or speak frankly on an issue without having their comments used against them in a court.

There is some evidence here with respect to experience and what this has meant. If we take a minute and ask ourselves: Is there any benefit to doing this? What are the results of doing this? Is this meaningful? We don't have a lot of experience in this country, because we're only talking about the last 18 months to two years in terms of having this in place, and in the province of Manitoba only six months or so. So we don't have a lot of experience with it, but we can anticipate what's taken place based on some of the US experiences.

I want to reference some of those US examples that we can talk about for a moment.

"In 1987, after losing two medical malpractice cases that cost a total of \$1.5 million US, the Veterans Affairs Medical Center in Lexington, Kentucky, a 400-bed hospital, changed its approach to medical mistakes. It adopted a policy of full disclosure and apology. The approach is credited with reducing lawsuits, settlement costs and defence costs. Seventeen years later"—after they've changed their policy—"only three cases have gone to trial and the average settlement is \$16,000, as compared to the national average for veterans' affairs"—hospitals in the United States—" \$98,000. In addition, cases closed in two to four months, significantly below the average of two to four years" in the US. So their experience has been positive.

According to the Missouri Medical Law Report of 2005, "Since 2002, the hospitals in the University of Michigan's Health System have been encouraging doctors to apologize for mistakes. Malpractice lawsuits and notices of intent to sue have fallen from 262 filed in 2001 to about 130 a year and their annual attorney fees have since dropped to one-third from \$3 million to \$1 million."

A US survey found that "in situations when moderate medical errors occurred, only 17% of patients would sue if the physician informed the patient of the error. If the physician did not inform them ... 29% of patients would sue if they later learned of the error." Thirty per cent of all plaintiffs claimed that they would not have sued if there had been an apology.

According to the American Journal of Pharmaceutical Education, they "found that 37% of patients and family members bringing suit may not have done so had there been a full explanation and an apology, factors more significant than monetary compensation."

I know there are going to be some other folks speaking to this, and some who have backgrounds in the medical field and the legal field, and I appreciate and certainly welcome their comments this afternoon.

We know that professional organizations and associations, for obvious reasons, counsel their members not to apologize and not to recognize errors that may have been

made because of the liability relationships that go along with that. Their insurance may not be provided if they do that and they are in effect putting themselves in jeopardy if they do that. But that's not necessarily the right thing and it's not what the professional wants to do. They want the opportunity to be able to speak frankly—for example, if we're talking about the health care field—to the patient they're dealing with, and the patients obviously want to be able to receive those types of comments.

When this was introduced in BC, the Attorney General there made some comments around the importance of apologies being made irrespective of all the monetary settlements and the financial compensation; that this is a natural thing to do, a humanitarian response, and we shouldn't allow our legal wrangling to get in the way of that. We shouldn't be hamstringing people for something that is a natural response from what they want to be able to do in a specific instance.

The other comment I want to make is that there is widespread support for this legislation in Ontario, and I want to reference a few of those individuals very briefly.

Phil Hassen, as you know, is a former Deputy Minister of Health in the province of Ontario. This is about what patients need from a health care perspective, although it has broader implications right across all sectors in the province:

"An Apology Act is an important step forward for the people of Ontario and it is consistent with our recently released Canadian Disclosure Guidelines, which aim to increase honest and open communications among health care professionals, patients and the public." Those are comments by Phil Hassen, who is now the CEO of the Canadian Patient Safety Institute, which is based in Edmonton.

"The proposed Apology Act and guidelines are proof of a cultural shift underway in society, recognizing that offering a sincere apology or expression of regret is simply the right thing to do in often very difficult and emotional circumstances. It's a sign of caring, compassion and empathy—not blame or guilt."

This is about allowing the opportunity for individuals to both receive apologies in certain circumstances or those individuals who want to be able to make an apology without having their comments used against them.

Dr. Willet, who's the president of the Ontario Medical Association—she's back practising medicine now in our riding of Sault Ste. Marie and has just made that transition—is on record supporting this, as is Tom Closson, president of the Ontario Hospital Association; Wendy Fucile from the Registered Nurses' Association of Ontario; Doris Grinspun, the RNAO; Preston Zuliani, the College of Physicians and Surgeons of Ontario; and Greg Goulin, who's the president of the Ontario Bar Association.

The Ontario Bar Association has been very supportive of this as well. Last year, the Uniform Law Conference of Canada passed a resolution saying that they wanted this passed across the country.



I want to encourage members to support this. This is the right thing to do. This is an important piece of legislation. Not only does it help reduce our costs in our public sector but, more importantly, it allows us to put a human face on issues that are very crucial to people in this province.

**The Acting Speaker (Mr. Jim Wilson):** Further debate? The honourable member from Whitby—Oshawa.

**Mrs. Christine Elliott:** If I may, with your permission, trade speaking spots with Mr. Kormos, the member from Welland.

**The Acting Speaker (Mr. Jim Wilson):** The honourable member from Welland.

**Mr. Peter Kormos:** I thank Ms. Elliott for indulging me and assisting me so that I can get to a 4 o'clock commitment.

This is an interesting piece of legislation. When it was introduced, I recall expressing some significant interest in it, and I continue to have significant interest in it on behalf of New Democrats here at Queen's Park.

Let's understand that there are, in my view, two very distinct communities that have an interest in this type of legislation. One is the alternate dispute resolution community—mediation, primarily. Mediators continue to be fearful that they are not protected by the settlement privilege rule in the common law. Mediators recognize that an apology can be a very effective part of a dispute resolution process. They find themselves clamouring for apology legislation. The other context, of course, is litigators—parties who are engaged in litigation.

It's an interesting arena. I tell you: We are going to support this on second reading. We very much want this bill to go to committee, but we have some concerns. I believe that the committee would be an arena in which those concerns should be and will be best addressed. I anticipate pretty comprehensive committee hearings because this is not as straightforward as it would appear to be, notwithstanding that it is a relatively brief bit of legislation.

1550

This is modelled on the BC legislation, which is the Uniform Apology Act, which is being touted across Canada, but understand that the BC legislation is the most comprehensive apology legislation in the world. There are two very distinct parts to it. One is the apology simpliciter, as Mr. Zimmer might refer to it—he's going to be speaking to this, and he might use Latinisms because he's a lawyer. That's the bare-bones apology.

I should tell you that I want to thank Richard Sage, in legislative library research, who put together some of these scholarly works on apologies. There's a huge wealth of research, with roots in anthropology and psychology among other things, around the social and broader impact of apologies.

In view of the fact that an apology is currently admissible in a civil proceeding, some would argue that the first one, the bare apology, is not an apology at all. In a paper by Prue Vines, *The Power of Apology: Mercy, Forgiveness or Corrective Justice in the Civil Liability*

*Arena*, the argument is made that an apology does very little to indicate culpability or liability.

When your dog dies, I say to you, "I'm sorry your dog died." That doesn't mean I killed your dog or that I'm in any way responsible for your dog's death. We console each other at various times—when we're ill, when a family member is ill, when somebody dies—and say we're sorry. That's an expression of regret that's taken very much colloquially to be perceived as an apology.

Now, I put to you that if you're a pedestrian who gets mowed down by a speeding driver, it's one thing for a driver who has just mowed you down to come over to you and say, "I'm sorry." You're lying there, battered, bruised and bleeding. I, for one, would support legislation that prohibits the utilization of that bare apology from being used as evidence of anything, because it really isn't evidence of anything.

The danger is that a trier of fact, be it a judge or jury, might read things into it that simply aren't there, that you can't read into it. "I'm sorry you're lying there bloodied, battered and bleeding," is a mere human response and should not, in and of itself, be taken to acknowledge liability. The exclusion of that is a fair thing.

However, I've got to tell you that if I'm the innocent accident victim and the driver of the car comes over and says, "I'm sorry, I didn't mean to go through the red light," especially if there are no witnesses, I darned well want that to be admissible as evidence. I'm going to be seeking compensation, and I deserve compensation. I'm an innocent victim.

The problem with the former, the bare apology, that's identified in the material, in the research, in the scholarly discussions, as a regret apology, as distinguished from a regret admission apology—two very different things. What are we doing enacting legislation that protects the wrongdoer, who admits not only his or her regret, but liability? What are we doing protecting them from the impact of that admission? It indeed boggles the mind that we would even contemplate that.

Any number of jurisdictions have adopted safe harbour apology legislation, where the regret apology is excluded from evidence by virtue of being deemed inadmissible. This, as I say, is modeled on the broadest—this is a huge net and potentially a very, very dangerous one.

Now, let's go to alternative dispute resolution, and let's understand that settlement privilege applies to all discussions and admissions made in the course of efforts to settle, including an admission of liability. For instance, in the course of mediation, it might well be a very productive thing for the negligent party to admit liability, as well as apologize, to break the logjam in terms of negotiating a settlement. I'm also fearful of pseudo-apologies. As if Bill Clinton hasn't denigrated the mea culpa enough already, we've witnessed over the course of the last decade or two decades this rash of pseudo-apologies from political leaders, from celebrities—be it Mel Gibson or any number of other celebrities—who somehow think that they can absolve themselves of all



responsibility for highly inappropriate conduct. Mr. Clinton, after all, did not have sexual relations with that woman. It ended up, of course, he lied, and the apology was clearly nothing more than an effort to extract himself from a very politically unappetizing—as well as the conduct itself—position.

Aaron Lazare, who's in some respects a successor, he in fact makes note—and I've read the book *Mea Culpa: A Sociology of Apology and Reconciliation* by Nicholas Tavuchis. But Lazare, in a far more recent book, talks very specifically about the pseudo-apology. There are fears that this type of legislation gives rise to the pseudo-apology: apologies that are merely tactical, that have, on the part of the person making the apology, no real intent to effect or demonstrate any remorse or any genuine concern, or any genuine sympathy or empathy. It's the lawyer who sits down with a client and says: "Look, here's the apology. I've written it out for you, and this is how you're going to say it," and that person reads from a text.

This type of legislation has the capacity to further denigrate the apology, which is a very important thing, a functional thing in a civil society, because, you see, the pseudo-apology is far from a real apology. It trivializes apologies. Lazare writes, "People who offer a pseudo-apology are unwilling to take the steps necessary for a genuine apology; that is, they do not acknowledge the offence adequately, or express genuine remorse, or offer appropriate reparations, including a commitment to make changes in the future."

Heck, even Fisher and Yuri recommend the apology as an effective tool, as a ruse in getting to the end goal in the course of negotiations. Don't they, Ms. Wynne? Again, this is the pseudo-apology, because if the purpose of the apology is to induce people to settle more quickly and to settle for less than what would be fair and appropriate compensation, then I say to you that that, in and of itself, is a gross injustice. This type of legislation encourages the use of a pseudo-apology to dupe innocent victims, who are inevitably the weaker party. They don't have the deep pockets. They don't have the high-priced lawyers. They're the injured victim. As long as you've got mediators who insist on this concept of detached neutrality to the point of being neutered, who refuse to perform a role that includes looking out for the weaker party and/or ensuring a just and fair settlement in the course of a negotiated settlement, people are going to be victimized. People are going to be duped.

New Democrats will vote for this on second reading. I wish I had more time now. We'll be looking forward to committee, and we'll be looking forward to what I'm sure will be a huge range of witnesses who will be wanting to come forward. But when I see organizations like the Ontario Medical Association supporting this legislation, like the Ontario Hospital Association—these people are interested in covering their butts. In fact, some of the literature talks about the economic argument, which is one that seems to prevail, and that is, we need this type of legislation to encourage settlements so that

we'll be resolving more cases rather than trying them. That, in fact, is a false economy, because that can lead to gross injustices where weaker parties are left uncompensated. That's not our job to facilitate that.

1600

**Mr. David Zimmer:** Mr. Speaker, I'm going to share my time with my colleagues from Oak Ridges–Markham, Bramalea–Gore–Malton and Etobicoke North.

This is good legislation. This is long-overdue legislation. We ought not to be frightened by this legislation.

In fact, leading jurisdictions in North America have adopted similar legislation. In Canada, British Columbia has adopted similar legislation, as has Saskatchewan and Manitoba, and in the Yukon, similar legislation is pending. In the United States, which is, from many points of view, the home of excessive litigation and huge litigation costs, some 35 states have adopted similar legislation. Some of the leading states that we think of as being very litigious states, with huge amounts of civil litigation, personal injury litigation—the light going on—like Massachusetts, Texas, California and Florida, are the homes of some of the most, if you will, extravagant forms of litigation. Those states and those other provinces see merit in this. Ontario is merely adopting the very best legislation and modelling it after that legislation.

In addition, there's widespread support for this legislation, across the board, with the various health care providers, and I could go through a list of hospital heads and health care providers who recognize the need for this legislation.

Some suggestion has been made that the lawyers in this province acting for the insurance companies, who are the defendants in a lot of this litigation, aren't supportive of the legislation or that somehow the lawyers who represent the plaintiffs and the defendants aren't happy with this legislation. But the president of the Ontario Bar Association, which is the umbrella organization representing all lawyers, both from the plaintiffs' bar and from the defendants' bar, recognizes the need for this legislation. In fact, Greg Goulin, the president of the Ontario Bar Association, says the following: "The Ontario Bar Association (OBA) supports Apology Act legislation and has advised the Attorney General of their desire to see such legislation pass the House." That's from the president of the umbrella organization representing both plaintiffs' lawyers and defendants' lawyers.

From my own personal experience—and I did a lot of work over the years acting on behalf of plaintiffs and on behalf of defendants—I can't remember the number of times I had this conversation with the plaintiff or the defendant or indeed both parties: that they were looking for some way to get out of the litigation. Often, I would hear, "If only I could tell the other side how I really feel, if I could really apologize"; or the party being sued would say, "I want to get an apology out there because it's the right thing to do," but there were all sorts of technical barriers to doing it, and that just kept the litigation going on and on and on.



Anything to reduce the amount of litigation to ensure that we get early and fair settlements is worthwhile. This legislation is a step in that direction.

**Mrs. Christine Elliott:** I do appreciate the opportunity to speak to Bill 59, An Act respecting apologies.

Let me say at the outset that this bill has really challenged me, because my basic training as a lawyer has conditioned me that this is not a good thing to do. As lawyers, we are trained to protect our clients, to act in their best interests and not to have them say or do anything that might jeopardize their position. So it is something that I have struggled with. On the other hand, of course, there is no question that a sincere apology can bring about a healing and closure for people in a way that no money award ever could. So I've really struggled with this and thought really carefully about it and hope that I will be making some helpful remarks in this context.

As has already been mentioned, there has been apology legislation already enacted in three Canadian provinces: British Columbia, Saskatchewan and Manitoba. There are different types of apology legislation, as has been talked about, and there are different standards that apply, depending on whatever type is chosen. The Ontario legislation that's being proposed does in fact mirror the Uniform Apology Act.

The act basically indicates that an apology cannot be admissible in civil proceedings in court for the purposes of proving liability or as an admission of liability, cannot be used as a confirmation of a cause of action to extend a limitation period and cannot be regarded as an admission of liability for the purpose of voiding an insurance policy. Certainly, the whole question of insurance is really important in this context, when we look at the types of situations that an apology might apply to. I'm thinking in this case particularly of motor vehicle accidents, medical malpractice actions and the like.

So why are we even considering apology legislation? There are a number of groups that have expressed their views on the subject. A discussion paper on apology legislation that was prepared by the Ministry of the Attorney General in British Columbia stated:

"When we act in a way that results in harm to another, an apology is seen to be an appropriate ethical response. It is also recognized that an apology can have a therapeutic impact on the person injured, facilitating the healing process and the process of reconciliation and closure.

"Anecdotal evidence from those involved in dispute resolution and litigation is clear that an apology can go a long way toward resolving a dispute. In fact, mediators report that, for many plaintiffs, a sincere apology is the most valuable part of a settlement."

Indeed, there is no question that a sincere apology can be therapeutic for both parties. It's important to note that the proposed legislation has been advanced and endorsed by the mediation community.

The other major consideration in favour of apology legislation is evidence which suggests that legislated protection for apologies would encourage dispute resolution

without recourse to the courts. It's been estimated that up to 30% of all plaintiffs would not have sued if they had been given a sincere apology and explanation.

So again, the discussion paper that was prepared for the British Columbia Legislature on the issue of litigation suggests this: "Evidence and experience suggests that many disputes could be resolved earlier, more effectively and less expensively if apologies were promoted within our legal system. Taking into account the research outlined above, British Columbia proposes to adopt the broader form of apology legislation. This could be accomplished by enacting legislation preventing liability arising out of an apology, by making the apology inadmissible for the purpose of proving liability and by providing that an apology does not constitute an admission of liability."

Certainly, anything that can allow parties to resolve disputes without having to go to the courts, would, on the face of it, be beneficial to both plaintiffs and defendants, and allow access to justice for all regardless of income level. But the problem is that it's not as simple as that. I'd just like to present for the consideration of the members of the House who are here for this debate some of the things that might argue against apology legislation, because it does, again, on the face of it, seem like it's a good idea and a way to go.

In this case, I would like to refer to the work that has been done by two lawyers who are in the commercial litigation group of Lang Michener, one of the pre-eminent legal firms here in Toronto. Benjamin Bathgate and Joseph C. D'Angelo wrote a paper called *Better Safe than Sorry? The Role of Apologies in Litigation* in March of this year. One issue that they raised, and it was also raised by my colleague, the member for Welland, was that apologies could be trivialized if we adopted this kind of legislation.

Their paper indicates, "Another concern is that apologies can become trivialized and meaningless if the defendant knows that they will not be admissible and the mere act of apologizing could either prevent a lawsuit from being commenced or reduce the amount of potential damages for which the defendant is liable.

"The answer to this concern is that (a) human nature being what it is, if the defendant truly believes he has done nothing wrong, he is unlikely to apologize; and conversely (b) if the plaintiff believes the apology is insincere, he is unlikely to accept it."

So there is a real concern here that what we will end up with are sort of boilerplate, template types of apologies that won't really have the significance that they are meant to have, and won't achieve the purpose that they are meant to achieve.

1610

The other issue I would like to raise—and this is in the context of a legal action—is what happens if you have both a civil action and a criminal action arising out of the same occurrence. Let's take, for example, the context of a motor vehicle accident where someone is badly injured, reaches over the threshold—because we have no-fault



insurance here in Ontario—but is permanently and seriously injured and has the ability to sue in a court for civil damages. In that case, an apology, if rendered, would not be admissible in the civil court.

But let's say the person was also charged with dangerous driving and the matter went to criminal court. There is nothing in this act that prevents that admission of liability, being the apology in this case—assuming they said, "I'm sorry that I ran into you"—from being admissible in the criminal courts. The criminal conviction could then be entered into the subsequent civil action and therefore have the effect of both providing an admission of liability inadvertently and, not only that, voiding the contract of insurance, rendering the person who is the defendant in this case personally liable for any damages that might be rendered in favour of the plaintiff.

So there is some potential here for damage to be done inadvertently when you have those sorts of dual situations where you have both a civil action and a criminal charge arising out of the same incident.

Finally, the other point I would like to raise—and I know I don't have too much time left—is that there may be some apologies that might make people who are emotionally vulnerable or in positions of lesser power than the other party to either cave in and not sue or to accept a damages award that might be far less than what they are otherwise entitled to receive. I say this in the context—using it only as an example—of medical malpractice actions where you might have someone without significant resources who is up against a very difficult situation in terms of making a claim. If they've been given an apology, they may decide that it's not something they want to pursue: to seek damages they may—and I say "may"—otherwise be entitled to receive.

There are lots of situations that I think this legislation hasn't really addressed, though it seems like a really good idea on the face of it. I am prepared to support it in principle, because I think it does have potential. I think there are some great aspects to it but I do have some serious concerns. So with those caveats, I am prepared to support it, but I think it really is important, as the member from Welland indicated, to get this into committee and get the perspective of the many parties who have an interest in this legislation and direct knowledge of these kinds of actions and the experience that has happened in some of the other jurisdictions, in order that we can get a well-rounded sense of what this legislation is going to achieve.

I note that the Ontario Bar Association, through the president, Mr. Gregory Goulin, for whom I have the utmost respect, has indicated that the alternative dispute resolution section of the Ontario Bar Association, the ADR, has endorsed this legislation in principle. But I believe it is also important to get the views of the civil litigation section, the insurance section and the other parts of the bar that may have more experience in the courts with legislation of this type, to have them come forward and give us their perspectives. There will also be people from the health care sector. I look forward to

hearing from representatives of the Ontario Hospital Association and the Ontario Medical Association, to hear their perspectives on it in a more fulsome way, so that we can consider all of the aspects of this legislation before making a final determination on it.

I would urge the government members to ask for significant hearing dates, perhaps travel on this, because I think we're going to have many interested parties who are going to come forward and make representations on this. I would urge the member from Sault Ste. Marie to consider that in the course of this debate and recommend it to the members of the government.

**Ms. Helena Jaczek:** I'm very pleased to rise in support of our colleague from Sault Ste. Marie's bill, Bill 59, An Act respecting apologies. When I first heard about the honourable member's proposal, I was immediately struck by it, having practised as a physician for many years and having been a member, as my physician colleagues will have been, of the Canadian Medical Protective Association. That is the organization that insures physicians from malpractice suits. I was always struck by their regular communications to their insurees, and those communications always emphasized, "If ever you are in a situation where you may have made an error, some sort of mistake, cease all communication with the patient and their family; say nothing, and come and consult us."

I'm very happy to say I never had to actually take their advice or was in that situation myself, but I always felt this was extremely counterproductive, because a physician-patient relationship is essentially one of open communication and trust. The patient essentially gives their trust to the physician to help them with their health problems, their health issues, and obviously to advocate on their behalf as necessary. So it seemed counter-intuitive, where there might be a completely innocent mistake, not to acknowledge that.

I remember a number of situations—certainly none that led to any harm done—where lab reports were put in the wrong file, where the wrong hip was identified as the fractured one, where disinfectant wasn't appropriately diluted; all sorts of errors that were done, just as people will occasionally make mistakes. They were all caught in time, and perhaps, in this day of improved technology, those sorts of errors are no doubt far fewer.

To me, that kind of straight-from-the-heart, "I'm sorry for the situation"—not an admission of guilt, but simply having that kind of human interaction—would be very useful. Therefore, I support this bill.

**Mr. Kuldip Kular:** Let me say at the outset that I'm supporting this bill.

I'm going to describe to you an incident from my own medical practice. A few years back, when I was on summer vacation, a fellow physician from eastern Canada was covering my medical practice as a locum physician. He saw one of my patients who used to come regularly to my medical office. He examined him and gave him some medication, and that medication gave an acute allergic reaction to that patient. The patient had to be admitted to hospital. The patient was in the hospital



for two or three days, where he was treated. He recovered, but with some residual effects.

The patient sued that fellow physician, and the case went to court. During that period of two years in the courts, the physician had to travel from eastern Canada to Toronto to look after his case. At the end of the case, the judge ruled that it was not a case of malpractice, it was a case of mal-communication. The physician had not communicated properly to the patient.

I couldn't intervene because the case was before the courts. After the case was finished, I tried to intervene. I asked the patient why he sued the physician. The patient told me, "What I was looking for from the physician was an apology." The physician never apologized, and that's why he sued.

That's what Bill 59, An Act respecting apologies, does. If you feel that you sincerely apologize for any errors you have made, I think that's the best way to do it. It's the right way to do it. I support it and I urge all the members of this House, on a non-partisan basis, to support Bill 59.

1620

**Mr. Shafiq Qaadri:** I'm of course honoured to share time with not only the sponsor of this bill but my physician colleagues here in Parliament.

At the outset, I'd like to compliment our esteemed colleague David Oraziatti from Sault Ste. Marie for bringing not only this important legislation but also using very effectively his ability, in his capacity as a private member, to move forward legislation that not only benefits his local riding residents but also broadly across the profession, certainly in medicine and probably beyond.

As you can see from the explanatory note that Mr. Oraziatti has prepared on Bill 59, An Act respecting apologies, "An apology made by or on behalf of a person in relation to any civil matter does not constitute" admission of guilt or liability.

For me, this bill is ultimately about enhancing patient care and, as a subset of that, enhancing patient communication, because, as we have heard repeatedly through different domains, through the examples cited by my colleague from Bramalea-Gore-Malton, from some of the words that my honourable colleague physician Dr. Helena Jaczek of Oak Ridges-Markham mentioned, if a patient suffers an untoward reaction of different levels—be it mild, moderate, severe; be it irredeemable; be it one that requires hospitalization; be it on an emergency level—the thing that's missing, the thing that they crave, the thing that will hopefully remedy the situation largely, as has been shown in other jurisdictions in Canada, other jurisdictions in the United States and across the world, is if the physician and the health care team broadly have an opportunity to sit down, admit the fact—which, of course, is purged in medical school—that they are human and potentially prone and liable to particular errors; that admission, that communication, that sharing of pain and perhaps even participating in the grieving process moves that entire health care team into a new space, into a new domain where they are able to heal together, pick up the pieces and move forward.

This bill, of course, has various ramifications. I commend the NDP colleagues for finding yet another corporate conspiracy on behalf of insurance lawyers who are attempting to reduce litigation costs with a simple apology. I compliment them on finding yet another sinister motive. But from our perspective, as a matter of patient education, patient communication, this is a very important addition to the conversation on medical care in Canada.

I would once again, on behalf of the physicians of Ontario and other domains that will benefit from this legislation, salute David Oraziatti, the MPP for Sault Ste. Marie, because I think the patients of Ontario will benefit.

**The Acting Speaker (Mr. Jim Wilson):** Further debate? Seeing none, Mr. Oraziatti, you have up to two minutes for your response.

**Mr. David Oraziatti:** I want to thank members of the House this afternoon for their comments on the bill; in particular, the member from Willowdale, who, as you know, is a lawyer, and the members from Oak Ridges-Markham, Bramalea-Gore-Malton and Etobicoke North, who are all physicians in our caucus speaking from their practical experience. Also, I want to commend the NDP—the member from Welland—and the member from Whitby-Oshawa, who added her comments as well this afternoon. Thank you for your remarks this afternoon.

I also want to see this bill go to committee. I think there's a great opportunity to move forward with this. But I want to talk just for a moment about the importance of it, because I think that when we talk about pseudo-apologies and how this is complicated and we're treading on thin ground, this is going to resolve many issues in the legal community and in the medical community. This is something that Ontarians want and embrace.

When I listened to Phil Hassen, whom I have the utmost respect for, who represents the Canadian Patient Safety Institute, the public at large, the average person on the street who wants the opportunity to receive an apology or frank discussion from an individual, and, frankly, the nurses and physicians and other health professionals who want the opportunity to be able to make those comments to patients who may be adversely affected—I think we do them an injustice when we don't allow that to happen in a meaningful way or when we say, "Your comments are going to be held against you in a court of law." I don't think that's productive. I think we've seen numerous examples, both in Canada and the United States, which has a longer history with this legislation—a very, very positive experience.

We can't legislate sincerity in the Legislature; we know that. It's up to the individual who would be receiving the apology to determine whether or not it's meaningful and they believe that it's given in sincerity.

I want to thank the members today for the comments, and hopefully we can move forward.

**The Acting Speaker (Mr. Jim Wilson):** The time provided for private members' public business has expired.



## STEVEN TRUSCOTT

**The Acting Speaker (Mr. Jim Wilson):** We will deal with the first ballot item, ballot item number 22, standing in the name of Mrs. Sandals.

Mrs. Sandals has moved private member's notice of motion number 28. Is it the pleasure of the House that the motion carry? Carried.

*Agreed to.*

## LORI DUPONT ACT (DOMESTIC VIOLENCE PROTECTION), 2008

LOI LORI DUPONT DE 2008  
SUR LA PROTECTION CONTRE  
LA VIOLENCE FAMILIALE

**The Acting Speaker (Mr. Jim Wilson):** We'll now deal with ballot item number 23.

Mr. O'Toole has moved second reading of Bill 10, An Act, in memory of Lori Dupont, to better protect victims of domestic violence. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**Mr. John O'Toole:** I move that this be sent to the Standing Committee on Social Policy.

**The Acting Speaker (Mr. Jim Wilson):** Is it agreed that the bill be sent to the Standing Committee on Social Policy? Agreed. The bill will be referred to that committee.

## APOLOGY ACT, 2008

LOI DE 2008 SUR  
LA PRÉSENTATION D'EXCUSES

**The Acting Speaker (Mr. Jim Wilson):** We'll now deal with the final ballot item, ballot item number 24.

Mr. Orazietti has moved second reading of Bill 59, An Act respecting apologies. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**Mr. David Orazietti:** I ask that the bill be sent to the Standing Committee on Social Policy.

**The Acting Speaker (Mr. Jim Wilson):** Is it agreed that the bill be sent to the Standing Committee on Social Policy? Agreed.

## ORDERS OF THE DAY

## ORDER OF BUSINESS

**Hon. Gerry Phillips:** I seek unanimous consent for the orders for second and third reading of Bill Pr4, An Act to revive 872440 Ontario Inc., to be called concurrently, and that the questions be put without debate or amendment, and that the member from Whitby-Oshawa may move Bill Pr4 on behalf of Mr. Dunlop.

**The Acting Speaker (Mr. Jim Wilson):** Agreed? Agreed.

*Agreed to.*

## 872440 ONTARIO INC. ACT, 2008

Mrs. Elliott, on behalf of Mr. Dunlop, moved second reading of the following bill:

Bill Pr4, An Act to revive 872440 Ontario Inc.

**The Acting Speaker (Mr. Jim Wilson):** Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

## 872440 ONTARIO INC. ACT, 2008

Mrs. Elliott, on behalf of Mr. Dunlop, moved third reading of the following bill:

Bill Pr4, An Act to revive 872440 Ontario Inc.

**The Acting Speaker (Mr. Jim Wilson):** Is it the pleasure of the House that the motion carry? Carried.

*Third reading agreed to.*

**The Acting Speaker (Mr. Jim Wilson):** Be it resolved that the bill do now pass and be entitled as in the motion.

**Hon. Gerry Phillips:** I move adjournment of the House.

**The Acting Speaker (Mr. Jim Wilson):** Is it the pleasure of the House that the motion carry?

## LEGISLATIVE PAGES

**The Acting Speaker (Mr. Jim Wilson):** I just want again to thank our pages, as the Speaker did during question period today. You've done a terrific job, and we wish you well in your future endeavours.

This House stands adjourned until Monday, May 26, at 9 a.m.

*The House adjourned at 1629.*



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Brownell, Jim (L)	Stormont–Dundas–South Glengarry	
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<b>Caplan, Hon. / L'hon. David (L)</b>	Don Valley East / Don Valley-Est	Minister of Public Infrastructure Renewal / ministre du Renouvellement de l'infrastructure publique
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Colle, Mike (L)	Eglinton–Lawrence	
Craiton, Kim (L)	Niagara Falls	
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Dhillon, Vic (L)	Brampton West / Brampton-Ouest	
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DiNovo, Cheri (ND)	Parkdale–High Park	
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Elliott, Christine (PC)	Whitby–Oshawa	



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Klees, Frank (PC)	Newmarket–Aurora	
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Kwinter, Monte (L)	York Centre / York-Centre	
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Leal, Jeff (L)	Peterborough	
Levac, Dave (L)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (L)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (ND)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
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Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
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First Session, 39<sup>th</sup> Parliament

**Assemblée législative  
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Première session, 39<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 26 May 2008**

**Lundi 26 mai 2008**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 26 May 2008

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 26 mai 2008

*The House met at 0900.  
Prayers.*

## ORDERS OF THE DAY

### COSMETIC PESTICIDES BAN ACT, 2008

#### LOI DE 2008 SUR L'INTERDICTION DES PESTICIDES UTILISÉS À DES FINS ESTHÉTIQUES

Resuming the debate adjourned on May 15, 2008, on the motion for second reading of Bill 64, An Act to amend the Pesticides Act to prohibit the use and sale of pesticides that may be used for cosmetic purposes / Projet de loi 64, Loi modifiant la Loi sur les pesticides en vue d'interdire l'usage et la vente de pesticides pouvant être utilisés à des fins esthétiques.

**The Speaker (Hon. Steve Peters):** Further debate?

**Mr. Phil McNeely:** The ban of pesticides proposed under Bill 64 provides a unique opportunity for the province of Ontario to become a leader in North America in the efforts to reduce human exposure to chemical pesticides.

By now, all members of the House should be familiar with the risks associated with pesticide use in the province of Ontario. The links between pesticide use and devastating human diseases such as cancer, non-Hodgkin's lymphoma and increased risk to the most vulnerable members of the community—children, expectant mothers and the elderly—are well-known. I've said this before in this House: This is important legislation that seeks to protect Ontario families from unnecessary exposure to the dangers of chemical pesticides. I would be very disappointed if my colleagues across the floor voted against this legislation.

The environment has become a pivotal issue in Ontario and around the world, and this legislation is in keeping with the growing concern with the condition of our environment. This legislation is one of the many steps forward in making the environment a central issue of concern in our province. To be clear, this bill is minimally taxing on hard-working Ontarians. Its only demand is the responsible use of chemical products and a reasonable consideration for the health and safety of our neighbours and the environment. This is easily achieved. There are plenty of effective alternatives to our dependence on chemical pesticides. Simple solutions include

consulting local experts to find the best and most pest-resistant plants, shrubs and grasses to use in your yard. Elbow grease does not hurt either. People can make small changes in their cosmetic gardening to prevent weed and pest infestations. These are simple steps, such as ensuring your plants and shrubs receive adequate light and moisture and are provided with nutrient-rich soil made possible by adding compost in your plant and flower beds. Although chemical pesticides may be easy and reliable, we can no longer allow the use of these harmful and dangerous substances. If you doubt the rationale for banning pesticides, I urge you to consider who will be playing on our lawns and smelling the flowers in our gardens: our children, friends, families, our family pets and local wildlife.

The province of Ontario is not alone in its decision to ban pesticides. Some 33 Ontario municipalities, accounting for 44% of the population, have already implemented similar or stronger bans. These municipalities are supported by countless medical and health organizations, including the Canadian Public Health Association, the Canadian Cancer Society, the Ontario College of Family Physicians and the Registered Nurses Association of Ontario.

The city of Ottawa has made efforts to address pesticide use. While I was on council there, we worked diligently to reduce our city's reliance on, and eventually ban, chemical pesticides. Unfortunately, we did not pass a bylaw in 2002—one that I worked on very hard with Dr. Cushman, the medical officer of health—that would have banned cosmetic pesticide use, losing by a vote of 15 to 7. However, in 2002 we successfully implemented a policy banning use of cosmetic pesticides on city properties. I have my home on one of the city parks, and I find that it's a great place to take my grandchild out for a walk, and I can do it confidently, knowing there are no pesticides sprayed on that property. In addition, a policy was put in place to encourage residents to reduce the reliance and to provide increased understanding of the potential serious health risks associated with exposure to chemical pesticides. Efforts included regular workshops providing instruction and information on the use of organic pesticides, and these continue today in the city of Ottawa.

The issue of a bylaw to ban cosmetic pesticides rose again in 2005 in the city, after the city's medical officer of health presented a report to the health, recreation and social services committee. It recommended a bylaw prohibiting the non-essential use of pesticides. Unfortunately, once again, that bylaw failed, this time by a 10-to-



10 vote. I was very disappointed when my councillors in the east end did not support the ban. So I'm very pleased that we're going ahead with this provincial legislation. Despite the unwillingness of some city councillors to take strong action to address the ban on cosmetic pesticides, public opinion across Ottawa remains highly supportive of a pesticide ban. The city has already taken pains to remove pesticides from its properties, as has the federal government on Parliament Hill and all Ottawa-area school boards.

This legislation will take us further in the protection of our health and safety by ensuring that non-essential pesticide use is prohibited in our province. Although it is only one of many steps necessary to move towards a more sustainable Ontario, it is an important step. This bill will provide a comprehensive body of legislation building on the example set by many municipalities across this province that have taken the lead on banning pesticides.

Again, I ask my colleagues across the floor how they could vote against this legislation. I would like to describe city hall and council as I recall the situation back in 2002. The council chambers were full. The meeting, I think, went until 3 o'clock in the morning. This was a biggest issue I had been involved in as a new councillor. The doctors and nurses were lined up on one side, and the chemical companies, the pesticide companies, were lined up on the other. The chemical companies had come in from every part of Ontario to make sure Ottawa didn't get the ban on the cosmetic use of pesticides. This is only 2% of the pesticide market. The doctors presented their evidence. The pesticide pushers called on science-based decisions, and the councillors got the lobbying, often local, and they caved.

I spent three years visiting the cancer clinic at the children's hospital. I saw the number of children in those cancer clinics. I spoke with parents, saw kids cured, then met with the parents after the children went into remission. We talked a lot about the precautionary principle: If there is any doubt that these chemicals cause cancer, then that is sufficient reason to support the ban. Liberals believe evidence and opinions from doctors, and Conservatives still believe the industry. It may be as simple as that. Was the banning of smoking any different? The Marlboro man always denied the connection between smoking and cancer. I would like to tell you that my wife has kept our lawn pretty well clean of dandelions. It's back-breaking work, you might say, but not nearly as hard as one visit to the children's hospital cancer clinic.

0910

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Garfield Dunlop:** I appreciate the comments. I'll be taking part in the debate myself in a few minutes on Bill 64. I've got a lot of points I'd like to raise about the bill, things that I've heard but I want the government to clarify. The number one thing I'm concerned about is some of the things that small business people are telling me about: problems and issues they're facing with this legislation, and wondering about some help that they'll

require. On top of that, I'm concerned about the timing of the bill, the exact implementation date, those sorts of things. So I'll be taking part in the debate myself in the next few minutes. I look forward to the debate and to the committee hearings on this as well.

**Mr. Rosario Marchese:** I support the comments made by the member for Ottawa-Orléans. There's just one issue that I've been raising on this matter—I raised it last week—and that is that if a city like Ottawa wants to strengthen the bill, increase the floor, as it were, increase the ceiling, create more stringent rules, why would cities like Ottawa, Toronto and others be prohibited from doing that? That's the question I've asked government members, including the member for Eglinton-Lawrence and others who have spoken to this bill.

While it is nice to say, "We're creating rules for all of the cities across the land," and it seems good, but if a city wants to make it tougher, wants to ban all pesticide use, why would you not permit that? It would seem to me that that would be in keeping with the argument that the member for Ottawa-Orléans was making, and I wonder whether he has a comment on that.

**Mr. Kevin Daniel Flynn:** It's a pleasure to join the debate this morning on banning the cosmetic use of pesticides, Bill 64. I certainly think this bill is indicative of how society has changed over the past 10, 15, 20 years. We're starting to take a second look, in very general terms, at the approach we take to certain products that have been part of our life for a great many years. If we look at some of the toxins we're beginning to find now in products that we use on an everyday basis, I don't think anybody should wonder that responsible levels of government would look at some of the products that are used on public property as well.

Certainly that's what this bill does. It provides a level of protection that I think the public strongly supports. If you take a look at some of the responses that have come in to the Environmental Bill of Rights, you'll see that there was actually overwhelming public support for the bill that is being proposed here today.

Obviously there's some opposition to the bill from members of the industry, but I think the strong support from Landscape Ontario is very important. They want to see an end to the patchwork quilt we have of regulations, where you can do a certain thing in Hamilton but you can't do it in Oakville, or you can do it in Burlington but you can't do it in London. What people in Ontario want is the same strong level of support throughout the province.

In speaking to the previous speaker's question as to why we want to have the same level of protection for all Ontarians, I think that's part of the crafting of this bill. That's what Ontarians have asked us for; that's what people engaged in the industry have asked us for. They want some certainty around the use of pesticides in this province.

I would urge all members to support this bill. It's one of the reasons that have come from the speaker from Ottawa-Orléans, ones that I think touch many of our



lives. It's something we can do something about in a very substantial way by supporting this bill and moving ahead.

**Ms. Lisa MacLeod:** It's great to be back this week after a week in our constituency offices, where we spent some time with our community leaders, our neighbours and people who have real concerns in the province of Ontario.

Just last week, we learned that we lost close to 1,400 jobs in the high-tech sector in the city of Ottawa. Of course, on the weekend, we heard the sad news that Nortel will be sending some more people on to the unemployment line.

I ask at this point in time; Why are we doing something that's not science-based but more political-science-based? We have to stop thinking in this chamber that we can just put forward pieces of legislation—in this case, a three-page piece of legislation—that really aren't going to dramatically alter the political landscape or the scientific landscape or the natural landscape of this province. They're doing it, I guess, because it is more about politics.

I would much prefer today to be debating the economy, because I'm going to tell you something: It's really hard to go home and see some of the folks who are going to be in the unemployment line, figuring out where they're going to get the money for that mortgage or for their kids' education.

As I mentioned, this is a three-page bill that will allow the government to do almost anything behind closed doors through regulations. We strongly object on this side to the growing Liberal tendency to offer up few or no specifics in legislation that is debated in this assembly, which is what they did in the last budget bill. Madam Speaker, you'll recall the slush fund—slushgate—their year-end spending spree with municipalities, with no strings attached to that money.

If this government is serious about the growing problem of reducing toxins in our environment, they should start offering up fact-based decisions on real science, not political science, and ensure that all changes are done in the full view of the Ontario public.

**The Acting Speaker (Ms. Andrea Horwath):** The member for Ottawa-Orléans for a response.

**Mr. Phil McNeely:** I wish to thank the members for Simcoe North, Trinity-Spadina, Oakville and Nepean-Carleton for responding to my presentation this morning. The science-based evidence that I like to accept is that from the health organizations in this province and from the doctors that I heard speak at the Children's Hospital of Eastern Ontario.

I am very pleased that this legislation is going forward. I can understand the reservations of the member from Trinity-Spadina. We need strong legislation in this province to protect our families and our kids, and I'm really pleased to see that we're making progress in that direction.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Mr. Garfield Dunlop:** I'm pleased to be able to rise this morning and comment for a few moments on Bill 64,

an Act to amend the Pesticides Act to prohibit the use and sale of pesticides that may be used for cosmetic purposes. As the member from Nepean-Carleton mentioned, it's only a three-page bill, and the short title is the Cosmetic Pesticides Ban Act.

It's great to be back in the House this week after constituency week, but I'm sure if you're a member of the government, you're not very happy to be back here. I didn't hear a lot of happy things about the government in the last seven days. I'm assuming they're going to want out of this House as quickly as possible, so please, please give us a break here and let us pass some of this legislation. We don't want to do one of those things like last year, where you abruptly ended the Legislature in the morning when one of the ministers was supposed to speak in estimates. That was an interesting time. We'll see. I think our schedule goes through to the end of June. Let's get this bill passed.

The one positive thing I heard last week was the private member's bill from the member from Brampton-Springdale, which is the sprinkler bill. I tell you, there's a lot of support out there from our fire services for that bill. The only thing they're saying with that particular bill is that they think the government is going to kill their own member's bill, so there'll be a lot of firemen in the House today. When you're back at caucus tomorrow, give the lady a break and let her pass her bill. She's had it here about three times, and we can eventually implement it. We'll be happy to do that. I can tell you that that is the one positive thing I heard about the government last week.

Now, the Pesticides Act. Has anyone seen the lawns outside? It's probably the most disgraceful-looking Parliament we have in Canada now. There's no more grass left; it's all weeds. When the member from Ottawa-Orléans mentioned consulting local experts, I'm wondering who the government has consulted to look after the lawns of our beautiful Parliament buildings. Right here in Toronto, the capital of Ontario, our lawns are a disgrace. Maybe people shouldn't be crawling on the lawns or walking on the lawns, but the appearance of them—I'd rather have AstroTurf than what we see out there now. It's pathetic. Go out to the east doors, have a look and you'll see how wonderful it really is.

**0920**

Do you know what? The whole thing around the science of this bill is something that I don't understand. I really hope that when we get to committee with this bill, those experts who are basing this on science will come forward and give us all of the data and the exact information we need as to why we should solve this. What I can't understand about it is why this would apply to properties like lawns on public property and individuals' lands; however, in farming, golf courses and forestry it does not. I'm wondering how you tie the science together. I know the minister says that golf courses will have an expert advisory panel and that they'll also have a plan to put in place, but we all know that if you allow golf courses to go the way the lawns are on the east side



of the building, there'll be no golf courses in business in Ontario. They simply won't be around. People will not golf at them; they'll just be nothing but weed patches. So I worry about that. I worry about how it would be unhealthy for someone to be around their own property, and have a ban that applies to their property, but not have it apply when they go golfing.

I hope someone in the House can clarify this for me—maybe the parliamentary assistant to health or health promotion, or even the environment. I'm told that money has flowed from either health promotion or the Ministry of Health to some of the school boards so that they can take kids out to golf courses. I'm wondering why the government would be hypocritical in that manner. You're funding students to go out and learn how to golf on areas where there would be pesticides allowed, but not on their own school properties or if they come to Queen's Park, or in their own homes, where they actually live. I'm concerned about that.

Farmers are concerned about this bill. There's a lot of concern about this. They think that if the government's really serious about this, they'll apply the pesticide ban to all properties across our province, and that would include agriculture. I don't know what kind of an impact that would have. Again, I'm hoping that when we get to committee we'll see the science that it's based on, as far as what the government's concerned about. I'm hoping that they'll be able to give us a lot of data and see how it will impact agriculture, for people growing potatoes, carrots, corn etc. If there are chemicals in the ground, what kind of an impact does that have by the time it reaches the grocery store? Or are we allowing crops to come into the country with a lot more serious pesticides that have been applied to those crops in other countries, and are we just defeating the purpose? We may not be able to sit outside on our lawn and have a picnic because the pesticides may have an impact on us, but we might go to a barbecue and have a salad where a lot of the vegetables have come from other countries. Maybe the pesticides are a lot stronger or have been applied in a lot heavier doses, and that may have an impact on how it affects the food we eat. So there would be something health-related to that.

Those are the kinds of questions that I think we have to be prepared to answer in this House. Certainly, before the bill is passed, I would want to know about things like chemicals coming in from other countries on our fruits and vegetables, the impact on the golf courses, and of course why it's strictly municipal public properties and houses, and not trying to do something that would encompass the whole province, maybe on a smaller basis, as far as the amount of chemical that's applied.

The other thing that I think we have to talk about here in this House—I have a number of folks who come to me who are small business people; they are in the lawn-spraying and lawn maintenance business. They've come to my office asking me about compensation. They went into the business in good faith. They bought expensive trucks and expensive equipment to apply the fertilizers and chemicals to lawns and gardens, and now, in a lot of

cases, they'll be forced right out of business. I'm wondering what the government has in mind for compensation for these small business operators.

This is a government that hates small business; we know that already. Almost every step of the way, there is a hatred shown towards small business men, with no compensation whatsoever. We see it in questions in the House. We've seen it, of course, with this bill. If the government was sincere in making this bill fair and equitable, they would make sure that all small business operators who apply chemicals and will have their businesses downsized as a result of the bill would get compensation. I'm hoping in particular, especially in those rural communities—and there are a lot of rural members in here this morning—that you would be supportive of your small business operators getting a lot of compensation for the huge investments they've put into it.

*Interjections.*

**Mr. Garfield Dunlop:** I'm hearing their hatred for small businesses coming out now, as they start to heckle me for saying that. But we've seen it over and over again.

*Interjections.*

**Mr. Garfield Dunlop:** I'm sorry if I got under someone's skin, but the reality is, this is a real problem that we have to deal with.

I heard it all last week. You talk about compensation in different areas for operators of different businesses. We've seen it with the tobacco farmers, who were basically told to go away. We see it in the apprenticeship ratios, which are unfair to small business operators. This government refuses to listen to organizations that represent those small business people, and they completely ignore their requests for fairness in a system which is fair in other parts of the country.

I listened last week, and I don't know how many people were actually in their ridings and spent a lot of time talking to business operators. Here's a government that—it's nice that they can use some of these motherhood things to deflect away from the real problems they face, as the member from Nepean—Carleton mentioned a little earlier, but we've got some real problems out there.

On the Victoria Day holiday weekend, I think tourism was probably down about 35% to 40%. Unbelievable. And our leader, John Tory—

**Interjection:** Where is John?

**Mr. Garfield Dunlop:** The member from Wellington—Halton Hills and the member from Niagara West—Glanbrook made some announcements on some ideas that might help, like getting rid of the sales tax for long weekends on hotels and restaurants etc. I know that the Minister of Tourism is a rookie and probably not very skilled in his job, but the reality is that he called it a band-aid solution. With empty hotels, empty restaurants and nobody on the highways, when someone comes out with a reasonable solution that might help them, I don't call that a band-aid solution. If it's going to help a family that comes to Toronto for the weekend and it's going to save them \$100 by coming and visiting, they're going to



spend that money in other areas in the city. That's all they were trying to say.

I've seen nothing from the government saying they promote tourism. Remember, tourism mostly involves small business operators all across our province. Hundreds of thousands of jobs are at stake with this, and right now people aren't hiring yet. The Victoria Day holiday weekend was so bad that a lot of businesses didn't even open up between the May 24 holiday and last weekend, during constituency week.

I consider these to be very, very serious problems that our government is ignoring. We're here in this House today talking about a pesticides ban, and apparently some are arguing whether or not it's based on science. We're not really sure about this right now, but this is what we hope the government will bring forward when they get to committee. I'm hoping it's going to be a committee that will travel into rural Ontario. We don't usually get this government wanting to travel into rural Ontario, because they're not that popular in rural Ontario.

0930

We've got another problem with the bill. I want to know what the solution is to this, and maybe the Minister of Health will be able to answer this later on, or somebody in the House who has all the expertise. I've got some letters—I don't know how many other folks in this assembly have received letters from constituents—on allergies. They're concerned about the impact of Bill 64 on people with allergies. I would like to know what the government's thoughts are on that. So instead of heckling me in their responses, maybe the next time they can tell me what impact this bill will have on people with allergies and will there be any exemptions or will it have an impact on people who do have allergies—that sort of thing. I think we need to have those kinds of questions answered.

Again—this wasn't something I heard in constituency week. Some of my small business operators are worried about the compensation. I had a few letters on the allergies, but what I was hearing about were things like tourism. I've got to tell you, I don't know what other folks in this House are hearing, but I'm not hearing a lot of popular comments around this announcement on sex changes being funded. A lot of people think a lot of other things should be prioritized ahead of that. I was at probably 25 events last week where people came up to me and were very concerned about what the government was actually doing and why that would be something that would be so special at this time.

Last week, as you know, was our constituency week, but it was also emergency management week and emergency services week across the province. It was really interesting, when the government brags about all the things they're doing and all these motherhood statements, to find that the president of the Ontario Provincial Police Association came out last week—I've got a copy of his letter to Premier McGuinty. Mr. Walsh wrote a letter to the McGuinty government asking them when they're going to start funding police the way they should. We're

almost 500 officers short, but all they do is tend to blame the federal government; if anything comes up around policing, it's the federal government's fault. I'd like to put that on the record, because—

**The Acting Speaker (Ms. Andrea Horwath):** I'd just remind the member to speak to the bill that's on the floor.

**Mr. Garfield Dunlop:** I was worried about the police on lawns, Madam Speaker.

The reality is, over and over again—even in any response we get in the House—the minister blames the federal government for policing shortages in Ontario. That's what you call completely not fulfilling the responsibility you have.

The reality is, we have a bill in front of us that is popular, as far as the Environmental Bill of Rights and people who have written in on that and who have made comments on it. But as we move forward with that bill and we go to committee, I hope we'll have a lot of opportunity for our small business people, the agricultural industry, golf course owners, doctors, cancer experts etc. to comment on this bill, so we in this House can understand the science behind it and why it is so important to put this bill through in its current form.

As I said earlier, I can't understand why there are these exemptions in all these other areas. If it's so important to your lawn and so important to public property, why are other areas exempt and why isn't there a better explanation of that? When the minister made his opening statement and addressed the bill in the House on the day it was introduced, he just said farmers would have a plan and golf courses would have a plan and he didn't want to talk to that anymore. But even golf course owners are now saying, "What's going to be the impact? Next year, is it going to apply to me? Should I shut down my golf course now?" Because of the tourism aspect, business is already down in a lot of these areas, and something like this would completely kill the golf industry if it was passed. I don't have a lot to add to that because obviously you won't let me go into other areas of discussion here that I'd like to attack the government on, and of course there are lots of those.

As I said, I want to welcome the pages here. I know we've got a couple of folks—I haven't met them here this morning yet—from my riding. I'll be talking to them in the next little while, but I really want to welcome them to Queen's Park and I want to welcome all the pages here. We're pretty good people, as a rule. You'll probably come here and wonder why all this heckling is going back and forth, like the way they've heckled me all morning as I've been trying to speak. In the end, I think they're all pretty good people representing the different communities they serve in this province.

So as I wind up on this debate, I want to thank in particular my good friend the member from— I keep thinking of him as the member from Caledonia, but it's Haldimand-Norfolk—because he has been such an outstanding member and he has brought some really good points forward here. He gave a one-hour lead-off here a few days ago, and there were a lot of really positive



comments in it. But I think he, like me, will look forward to the debate and having real data provided to us, real experts, not this fluffy stuff we've seen over here that is kind of a motherhood statement. We have to base this on science; we have to base this on what kind of compensation business owners will receive as a result of the fact that this will have a negative impact on them. We want to make sure that we get it right, and also we want to make sure of what the member from Ottawa-Carleton mentioned, about the health issues. Where there are serious health issues, we have to address these, but they tie into everything. They tie into other foods coming in from other parts of the country, international products coming into Ontario, and the way we apply our agriculture legislation to have impacts on bills like this as well.

I'm going to wind up now. I'm looking forward to the debate and to comments coming forward here today. Again, I apologize for saying that the government has a hatred for small business, but do you know what? I didn't want to make it seem that harsh, but the reality is, we are seeing that on a day-to-day basis in rural Ontario. This government hates small business operators. They have a fight with farmers on all the time, and quite frankly it's very disappointing to sit in this House day after day and see a complete assault on rural Ontario by this government. We can go on and on and on, and we'll look very forward to—

#### *Interjections.*

**Mr. Garfield Dunlop:** You mention the word “hatred” of rural Ontario and they get mad. The reality is, this government hates rural Ontario. They do everything they can possibly do to make life harder and harder for the residents of rural Ontario. Just name the bill and it will have an impact one way or another. So when we start doing our complete job here and fulfilling our full responsibility to all the citizens of Ontario, then I'll be more supportive of a piece of legislation like this.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Rosario Marchese:** I just wanted to say to the member from Simcoe North that I'm happy to see that morning debates have not diminished his ability to express his warm hostility towards Liberals.

**Mrs. Carol Mitchell:** I stand today to comment on the statements, I'm going to call them, of the member from Simcoe North. I've got to say that the comment that this government hates rural Ontario—there could not be anything that is more nonsense than that statement. I think about the previous government, how you treated rural communities. For you to stand in this House and make those comments is totally inappropriate. But what we're here today to speak about is Bill 64. I want to remind the opposition members from across the way that that is in fact what we are speaking about today.

When I think about what they did when they were in government—they brought forward nutrient management. Now, one of the things in the municipalities, in rural Ontario—that piecemeal legislation, from municipality to municipality, caused untold grief to our farmers.

How did they treat our farmers? They turned their backs. They finally, after the second term, decided that maybe they might bring forward nutrient management. For the member from Simcoe North to talk about compensation—I can tell you, when those discussions were going on, this member from Simcoe North did not stand in the House and talk about small business at that time. No, sir. When we talk about piecemeal legislation and how that affects rural Ontario, bringing forward provincial legislation that speaks to making a healthy Ontario is the direction that, when we had the conversation in October, was part of our platform and a very strong plank. Quite frankly, I think that when the member stands up and says he gets a conversation from here and there, he doesn't hear the majority of the voices that are strongly in support of this legislation and want to see more work done. I look forward to the hearings, and they should come to rural Ontario, where they will be very graciously received—the McGuinty government.

0940

**Mr. Toby Barrett:** I welcome the opportunity to comment on what the member for Simcoe North has explained to us. As with the zoo legislation, he has presented a very comprehensive discussion of what's going on here. It's a very complex issue, this issue of banning pesticides. It's an issue that has to be based on science, and I think the member from Simcoe North did an admirable job in explaining that. Our concern is that the premise of this legislation seems to suggest—and some of us are of a farm background—that there is something inherently wrong with these products. That is a threat to the forest industry and to the farming industry, because it undermines people's confidence in these various products. From the debate we heard this morning, the debate we have heard to date, I have a number of questions.

We hear the arguments with respect to linking certain cancers to pesticides. We do ask questions, and we do ask for scientific evidence. Which particular cancer are we talking about and which particular product was linked to that cancer? Was the cancer related to glyphosate, for example, which is banned in Toronto? This legislation, brought forward by the McGuinty Liberals, will allow the use of glyphosate, a product produced by Monsanto. It's called Roundup. I've been using it for decades. Will you allow that particular product to go forward or is that product linked to certain cancers?

Learning disabilities: What learning disabilities are we talking about? Which particular chemical are we talking about? We hear mention of birth defects. Which particular pesticide, which particular chemical product is linked to—

**The Acting Speaker (Ms. Andrea Horwath):** Thank you. Questions and comments?

**Mr. Mike Colle:** It's a good opportunity to speak to Bill 64 and the comments of the member from Simcoe North. Again, I just remind our new pages and the people across Ontario that this is about banning or stopping the indiscriminate use of cosmetic pesticides, chemicals that you don't really need to use in your front lawn or in your



backyard for cosmetic purposes and for appearance purposes.

It's just beyond me why the Conservative Party disagrees with the Canadian Cancer Society and doctors, nurses and medical professionals who believe it's best to err on the side of safety for our children especially, who might be susceptible to getting some kind of residue on their feet, on their hands and then put their hands in their mouth. This could cause some harmful medical consequences. That's why not only the province of Ontario but jurisdictions all over the world are doing this and municipalities all over Ontario have already done this. So it is not doing something that the public is not asking for; they're asking for a uniform set of standards so that we can better protect our children especially from the indiscriminate use of these chemicals, primarily in an urban setting when you don't really need to use chemicals. That's what this legislation does, plain and simple. For the life of me, it's amazing that the Conservative Party is fighting the same battle that has been fought with tobacco. We all remember the same people saying that tobacco doesn't kill you, that tobacco doesn't cause cancer. This is the same argument.

**The Acting Speaker (Ms. Andrea Horwath):** Response?

**Mr. Garfield Dunlop:** I thank the members for Huron Bruce, Haldimand-Norfolk, Trinity-Spadina and Eglinton-Lawrence for their comments this morning. We, on this side of the House, don't want to stop anything that's going to have an impact on people who might get cancer, but we want to make sure it's a complete bill and that it has an impact on all the stakeholders who may be affected.

I mentioned earlier in the House that if there's something going on a lawn that would cause a child to have cancer, how are we assured that something that might be on the fruit and vegetables he eats, which might be imported from another country, might not be more powerful than that? What are we going to do about that? Plain and simple, that could have an impact as well.

I stick to what I said earlier about this government's hatred for rural Ontario. I've talked to some people lately about the source water protection committees. I understand that there will actually be farms put right out of business, because if they're within 1,500 feet of a well-head, they won't be able to farm anymore, and there will be no compensation whatsoever to those farms. They're not even talking about any form of compensation.

Maybe people want to see these who apply chemicals to lawns go out of business. But if they're going to go out of business as a result of this bill, I think there should be some kind of compensation factor; it's as plain and simple as that. These are small business operators. A lot of them have a lot of employees. They entered this business in good faith under the legislation we have today. If the government is going to change the legislation, they should compensate those people for those jobs; I don't think there's anything unfair about that. But they won't. They'll try to sweep it under the carpet. They'll try to put

a motherhood statement on everything with a bunch of fancy press releases, and nothing will happen and those people will lose their jobs.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Mr. Rosario Marchese:** I'm happy to welcome the citizens of Ontario—at least those who are awake or semi-awake—to this political channel. I've got to tell you how difficult it is to make speeches in the morning. It won't prevent me from trying, of course, but it is tough. I don't know how many other professions get to debate so early in the morning and be alert and awake as they do that. When we had speeches in the afternoon, I used to say, "Welcome, citizens, to this parliamentary channel. It's 4 o'clock" or "it's 5 o'clock." Now I'm saying, "It's 9:45." I used to say, "Get your popcorn ready and get your beer." Now what do you say? "Get your coffee ready and listen to the debate"? Who's going to listen at 9 o'clock or 9:30 in the morning? It's hard for the speaker to speak; imagine how hard it is for the listener to listen at that time of the morning. Nobody is watching.

All this is courtesy of the Liberal government, courtesy of the House leader of the Liberal Party, probably courtesy of McGuinty, probably courtesy of some young whippersnapper in McGuinty's office deciding that this is what we should be doing. Maybe it's not even McGuinty. Maybe it's not even the former Attorney General. Maybe it's just some whippersnapper with an "I love the smell of napalm in the morning" attitude to political debate; it's very possible. But we owe this to the House leader of the Liberal Party. I hope the citizens of Ontario are enjoying these morning debates.

I want to say that I do not support the Conservative argument about "show us the real science on chemicals." If I had it my way, I would abolish the living hell out of all chemicals in our society, because I'm one who believes that chemicals are killing us. I'm one who believes that chemicals are deranging our physiology. To those who say, "Show me the science," I've got to tell you, I am frightened of chemicals like you wouldn't believe. There are thousands and thousands of chemicals in the air we breathe and the water we drink. They're in everything.

I don't want to wait for the science. I don't want to be a victim of a chemical killing, to be able to say, "Yeah, they're bad now." I'm not one of those. I take the precaution of saying, "Where you can, abolish as many chemicals as you possibly can," because I am firmly of the belief that they're hurting me, my children and everyone else's children. I don't want to wait for any real science on this matter. From a superficial knowledge—not being a scientist or anything—I can imagine these chemicals inside the body and what they're doing to us. Can't you simply imagine? Do you have to be a scientist to get a sense of what they're doing to us? That's me.

0950

I welcome this bill. It isn't the strongest bill that I have ever debated on issues of banning pesticides. It's a wel-



come bill. It bans many pesticides for aesthetic purposes, particularly on residential home use. That's okay, I say.

When the government says, "This is really revolutionary, the toughest bill in the world or in the country," I say, "Stop. Please, stop. Don't exaggerate yourselves so much." It isn't the toughest. Municipalities have been tougher than you have with your bill. So please, when you say how tough you are on this kind of issue, you're not, and you will not be unless we get some changes in this bill.

Many municipalities have been ahead of this government for quite some time. Markham, Vaughan, Peterborough and Ottawa already had a ban on the application of pesticides for aesthetic purposes and have fought the fight against the chemical companies in court. The government is late to the party on this one. It's hardly leadership. So when the member for Oakville says, "We're leading"—please; you're following. You're not a leader on this one and you're not introducing the toughest anti-pesticides campaign ever. You're not. Other cities have, including Toronto and London.

It's for that reason that Monsieur McGuinty made the error a couple of weeks ago when he said, "Of course cities can introduce their own measures that could be tougher than the ones we've introduced." It's easy for me to understand that McGuinty would have made that mistake. He knows, like I do, and like many other MPPs in this place who were city councillors, that cities have already banned, in some cases completely, all pesticide use for residential purposes. So was it wrong for McGuinty to have said, "Of course cities can introduce more stringent measures if they want"? He wasn't wrong; he just made a mistake. He didn't realize his minister said that they couldn't do that.

It is my view that because McGuinty made that error and looked a bit bad, the minister will make it up to him. If the Premier pronounced himself on this issue, saying, "Municipalities can introduce more stringent measures," the Premier has spoken. He's a bit higher on the food chain, if you know what I mean, and therefore has a little more power than the minister on this one. It seems to me that the caucus members are also somewhat practical. They too probably said, "Of course cities should be able to introduce measures that are stronger if they want."

I am convinced that the MPPs are going to support the Premier on this. Then, when it comes to second reading, there will be amendments, if not by the NDP, by Liberal backbenchers who will introduce an amendment that will say, "Cities can introduce measures that are stronger than the bill we are proposing." I guarantee it. I really do. People will say, "How can you guarantee that?" It's just a little bit of psychology, I think. You don't want to make your Premier look bad—and he did. And the minister looked bad, felt bad, when the Premier looked bad and felt bad after stating what he stated, and didn't mean to because he didn't know. Nobody wants to make the Premier look bad. So I guarantee 101% that an amendment will be made.

Any disagreement from any Liberal backbenchers? The rump or the other side? You see, they're smiling

because they know it's coming. And I say, that's okay. I say it's okay if we allow cities that have been leaders on this issue, that have taken companies to court on this issue, that have banned, in some cases completely, all residential use of pesticides—that this is an important measure to introduce by way of an amendment that will make this bill much stronger than it is.

The bill establishes a ceiling, not a floor. So when the member from Eglinton–Lawrence, the member for Oakville and others say, "We have harmonized the rules. There's one single standard. No patchwork," it sounds good intellectually. For people who don't know much about the issue, they say, "Well, if you've got one provincial law and you harmonize it across the province, it's got to be good."

The point is that it establishes a ceiling and not a floor. The point is that if cities want to do better, they can't, and as the member from Eglinton–Lawrence says, for the life of me, I just don't understand why Liberals don't see it. The member from Eglinton–Lawrence often looks at the Tories and says, "I don't understand why they don't see it," so I look at the member from Eglinton–Lawrence and say, "I don't understand why you don't see it."

I'll repeat it for the member from Eglinton–Lawrence, because he was on this side of the House. You are establishing a ceiling, not a floor. Cities, in some cases, want to go further than you have. So I want to use your language. I can't understand why Liberals can't see that if municipalities want to introduce stronger measures to ban, in many cases completely, all pesticide use, why they can't. This is what I don't understand.

*Interjection.*

**Mr. Rosario Marchese:** Right. The member from Eglinton–Lawrence, like the member from Oakville, says, "Oh, because then you get a patchwork kind of quilt." What's wrong with that? What's wrong with a city deciding, "We want to make it better. We want to make it stronger"? What's wrong with that? If you create a harmonized rule and somebody says, "That's okay, we accept that, but we want to make it better," what's wrong with that? That I find incomprehensible.

The fact of the matter is, the city of Toronto, where my friend from Eglinton–Lawrence was—Dr. David McKeown stated in a May 13 Canadian Press story that the McGuinty government's provincial ban doesn't include a common weed killer that's already prohibited in Toronto. You understand? The city of Toronto has gone further than the Liberal government. The Liberal government said, "Well, too bad. We want to harmonize it. We think we're doing well. We think we know what's best, and if cities have already done something that goes further, it's too bad, because we don't really want to create a patchwork system across Ontario."

I'm arguing that it's not sensible, that it's nonsensical. I'm arguing that you could do better than that and you don't want to. It seems to me that in spite of the fact that you say that Tories are the core protector as it relates to pesticides, you're doing the same. It seems to me that you, wittingly or unwittingly, are doing the same. Where



cities have done better by eliminating more chemicals, or a complete ban, you're saying, "That's not good." It contradicts your argument. It makes your argument much weaker to defend. That's why I find the Liberal arguments on this incomprehensible. And even when the Tories stand up, in their mumblings, they don't offer anything by way of clarity on this issue.

I'm looking forward to rump Liberals, and/or other Liberals who have already spoken, to offer a reasonable argument against what I have said. I'm arguing that you are contradicting yourselves. When you attack the Tories, I say that you are attacking yourselves. When you say the Tories are defending pesticides and corporations, I say you're doing the same by creating a ceiling instead of a floor. By not permitting cities to offer tougher legislation, which they can, you are in effect protecting someone or something. Maybe you don't see it that way. It's clear to me that you don't see it. But that's what I propose to you by way of an argument against yourselves.

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The legislation will prescribe a list of all pesticides covered by the ban, but the Canadian Cancer Society, the one that my friend from Eglinton-Lawrence referred to, says something different. They say, "Why not prescribe a list of chemicals which can be used, instead of chemicals which cannot be?" I find that a very logical proposition. Given that you make reference to the Canadian Cancer Society, I thought I would do the same. Given that you support their arguments on the whole, I thought that if I presented yet another argument by the same society that you support, you might be tempted by the argument to say, "Hmm, that is a very good point"—and it is. If you can prescribe which chemicals cannot be used, why not prescribe chemicals which can? In my view, that would be better, because you have, by way of your legislation, no way of adding to the list except by introducing a bill in this place. You have no way of adding other chemicals that are banned except and unless by introducing another bill to ban additional chemicals. That's why I say, accept the Canadian Cancer Society's argument and do the reverse of what you have proposed: Simply prescribe the list of chemicals that can be used. I accept that as a very logical argument. If Liberals have another argument to propose to that, I would love to hear it.

Then there's the matter of golf courses. I am puzzled. Again, I find that the arguments of the Liberals have been contradictory on this one. I'm led to believe, by an article I read in the Star, that pesticide and ornamental herbicide use in residential homes represents only about 4% of pesticide use. That's not a huge number. But golf courses, which drink chemicals to the gills, where we pour an incredible amount of chemicals, by the tonne, to keep that grass so pristine—we're exempting golf courses. Why would you do that? Golf courses use pesticides on a massive scale. Compare that to residential use and there is no comparison. Those chemicals by the tonne are acceptable to you Liberals so that you can see pristine green grass on a golf course? How could you do that? How could you accept that argument as being logical? Why? Just to play golf?

Last week, I said to those of you who play golf that I'm worried about obesity, because I see a lot of golf players who are, dare I say as best as I can, obese.

**Mr. Mike Colle:** Tiger Woods is not.

**Mr. Rosario Marchese:** The famous ones are not obese, of course, because they keep nice and trim, but those who go and just have fun on the golf course, I've got to tell you, are obese. I'm concerned about obesity. Minister of Health, you too are concerned about this.

**Hon. George Smitherman:** Careful; I'm sensitive.

**Mr. Rosario Marchese:** As a Minister of Health, I said. I made no reference to anyone or anything. But I've got to tell you, when those guys are playing golf, as far as I know—I don't see many people walking. Maybe it's a good thing; I don't know. But not too many walk on a golf course. They use those little carts, and the only exercise they get is to swing the golf bat.

**Mr. Mike Colle:** Club, club, club.

**Mr. Rosario Marchese:** See, they call them clubs. "Club" is such an awful word. So they get these golf clubs—that's the only exercise they get. The only other exercise they get is bending down to pick up the ball. That's the exercise they get out of golf. That's why I said that I prefer to chase a big ball—a soccer ball—rather than a golf ball, which isn't being chased but rather carted about. You get to it by a cart and you just bend over. That's the extent of your exercise, you understand. When you go for a beer, it's 200 calories in one beer. You go for two beers, it's 400 calories. All you do is pick up the ball and swing the club. That's it. It's not much of a game, I've got to tell you.

So I'm concerned for two reasons: one, the fact that golf players are a bit overweight, and in some cases obese; and on the other hand, I'm worried about the fact that when they bend over to pick up the ball, that ball has gone through that grass for thousands of miles back and forth, and it picks up a lot of chemicals as it rolls through the grass. So they pick up the ball, they put it down, and then so many of them smoke or touch their lips. Obviously, they're ingesting a whole lot of chemicals into their system.

Why not ban pesticide use in golf? Why not—

**Interjection:** Ban golf.

**Mr. Rosario Marchese:** Banning golf is another matter. I would ban it myself. But that's just for fun.

Why not ban the use of pesticides on golf courses? That's what I would do in order to protect those people playing, those kids picking up balls, and to protect ourselves from the runoff of this massive use of pesticides that runs into whatever body of water it is connected to. Why wouldn't we do that? How do you Liberals defend that policy?

So when you say that this is the toughest bill that has ever been introduced on this issue—please. Residential use of pesticides only covers 4%; golf courses probably represent the biggest part. I believe we should ban the use of pesticides on golf courses, and we should do it today. Hopefully, the Liberal members will feel a tad guilty



about that as they speak to this bill. I'm looking forward to a few Liberals speaking up on this issue.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Bas Balkissoon:** I just want to join in this particular debate on Bill 64, the Cosmetic Pesticides Ban Act.

Listening to my friend from Trinity-Spadina, I think I might be able to help him a little bit as to why we're doing what we're doing and we will not allow our municipalities to have a patchwork of a higher order of legislation. If you look at what municipalities have today, they have a ban on the use; they cannot ban the sale within their jurisdiction. This particular bill actually bans the sale.

You need to have a uniform ban across the province. Therefore, this is why the bill is taking the route that it's going. Certainly his interest to see municipalities have something extra is probably worth discussion on another day, but to have the ban in the stores so you cannot buy it is really important.

Today, as an example, in the city of Toronto, where I came from, we banned the use. But I live on Steeles Avenue, and residents in my area can go into Markham and buy it, because that municipality didn't have a ban at the time we banned it in Toronto. They can bring it back and use it. It makes it very difficult for the enforcement officers in Toronto to enforce that ban of use unless they actually see somebody using it, or a neighbour complains. Tell me, how many of you have dealt with constituents who want to complain about their neighbours? Not many of them want to.

This bill would really make the ban that was started by municipalities a lot more effective, and we're doing it because it's the right thing to do. We want to protect the children of the future. Many of us here will not be around when those children are affected by pesticides. We need to do it now, and I think we're doing the right thing.

**Mr. Ernie Hardeman:** I just wanted to make a few quick comments to the presentation made by the member from Trinity-Spadina. First of all, I want to say that I don't totally agree with the premise that he started with, that the answer would be to just ban all pesticides. We have an organization called Health Canada, and they have approved all these pesticides because they say that there is no human health risk. Obviously some debate could be had on the issue as to whether all of them are or are not as effective as they should be or as clear as they should be. But I take more exception with the comments made earlier by the government side to suggest that the reason we're doing this is to have a uniform system across the province, when in fact up until now we've always been quite content to accept that municipalities could pass bylaws to protect, as they saw fit, the health and well-being of their citizens. A lot of municipalities in our province have done that. In some areas, they've done it stricter than what the province is proposing to do here.

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So if this is based on science, if it was necessary that the city of Toronto put the ban in place that they pres-

ently have, one would have to question if we don't want our children to be quite that safe; we just want them to be a little safer—why they would lower the standard for those municipalities. It would seem to me that if that was in the best interests of the city of Toronto and for their children, that they would leave it that way.

I also have a little concern: The member from the government side mentioned the fact that this bans the sale of these chemicals, and I take from the legislation that it does do that. But I wonder how that deals with the exemptions that we have on the golf courses that were mentioned by the member for Trinity-Spadina. Where are they going to purchase those chemicals? I presume that it will be from some outlet in the province of Ontario. If it's available for some, I expect—I've seen this before—it will be available to all those who wish to buy it. So I'm not sure that they're actually going to ban the sale of the chemicals.

**Mr. Kevin Daniel Flynn:** It's a pleasure to join the debate. From what I've heard today, and I've listened carefully to the debate, I think the member for Trinity-Spadina said he was going to support the legislation. That's what I heard. If that's not correct, perhaps he can address that when his two minutes come around. From what I've heard from the Conservative Party, they are not going to support it. If that's not true, I'd like to hear that as well.

I come from a community where golfing is a major business. Oakville is the home of the Canadian Open and has been for many years. It has been on the road for a few of the tournaments, but quite often it comes back to Glen Abbey. It's a golf course that we take some pride in. We don't consider people who are out there trying to promote their own health and trying to get exercise and socialize with their friends either for business or for pleasure—we don't consider them all obese. They are people who are out having fun, people who are out trying to do something about their own health, and it's a social activity that is very, very popular in Ontario and all over Oakville.

So from what I've heard, there is some support for the bill and there is going to be some opposition to the bill. People are asking about the science. What I'm hearing from my constituents is that they want to see more use of the precautionary principle: Do the things you can do to make your life a little better and do the things you can do to make your community a little safer. This is one of those things that we can all do. We can agree to not use pesticides on our own properties, around our own homes. It's going to make for a safer and healthier community.

You talk about the products that would be banned. What is being presented to the House is a proposed list. We've asked municipalities, the industry and lawn care operators which products should be banned and which products should not be banned. This is a suggested list. It's a starting point for a discussion. I would like to hear more about that discussion from the other parties as to what products they think should be on the list.

**Mr. Jerry J. Ouellette:** I appreciate the opportunity to comment on the comments made by the member from



Trinity-Spadina; first of all, his comments regarding golf. Obviously, the person's never been out. It's such an easy thing to—

**Mr. Rosario Marchese:** I have once.

**Mr. Jerry J. Ouellette:** He's been out once, according to the member. It's very much like being on a soccer pitch. I'm sure that on a soccer pitch—they don't use chemicals there at all, or never have? I imagine that in some sort of fashion they have, and guess what? When you're down on your knees making a save and everything else, it impacts you very much the same. No matter how it takes place, it occurs in some fashion.

The current government member who just spoke—I'd have to check to find out which riding to make sure I'm in compliance—should read Hansard, because there are a number of individuals who have stated their case very clearly.

My concern regarding this is in a couple of areas. One is the enforcement aspect. Where will the enforcement come from? How will it take place? Is it going to be incumbent on the conservation officers? Will they become participants in this sort of activity too? How will it come about: through bylaw enforcement or other aspects?

Quite frankly, in my opinion, the whiz kids in the back room have probably come forward and said, "We have to give a perception that we're dealing with the environment. How are we going to achieve that? We don't want to be talking about global warming and we don't want to talk about that darn stuff that drives me crazy, that UV rating every day where I've got to get up and make sure my kids are gooped up with UV 1,000 at some time"—right now, quite frankly, it's probably a 45 or a 60—"and the impact on our society as a whole." If this plays a role in ensuring that the future for our kids is going to be much safer and much brighter, then I'm more than willing to support it. My position is that I want to see in committee some more research and some more documentation from both sides of this issue. But as I stated before, when they opened this gambit up, I want to make sure that all participants play a part in the information in the committee process, and that includes forestry, agriculture and the golfing and recreational sector, which is very concerned with it as well.

**The Acting Speaker (Ms. Andrea Horwath):** The member for Trinity-Spadina for a response.

**Mr. Rosario Marchese:** I do thank all the members for their comments.

To the member for Scarborough-Rouge River, I say the following. He says, "We banned the sale of pesticides." The point is this: The extension of that argument is the following, and this is where I believe the Liberals don't seem to get it, or they do and they try to argue their own case. Guelph banned all pesticides and herbicides for ornamental use. My point is, they've gone further than you. Their bylaw is superseded by yours. The point is that if Guelph wants to ban all pesticide use, they can't. They can only follow your law, which says that only the ones you prescribe are the ones that can be banned, nothing more or less. That's the point that the Liberals

don't seem to get. That's where they contradict themselves a little bit. If a city wants to ban all use, they can't.

Then there is the argument made by the member for Oakville. He accepts the precautionary principle, which I spoke to, and then advances an argument as to why that is good and doesn't realize that when he speaks about golf courses, he says, "Oh, but golfing is a major business." So he accepts the precautionary principle for the use of pesticides on lawns but he doesn't accept the precautionary principle for golf courses because he argues that it's a major business. Do you see the contradiction in your argument, member for Oakville? You don't? Clearly. You clearly don't see it. Golf courses are a major business, so chemicals are bad, but in this case it's okay because it's a business. But in every other case, we use the precautionary principle. Do you not see how you contradict yourselves in the argument for the government? That's the point that I hope the citizens who are awake were able to see.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Mrs. Liz Sandals:** I'm delighted to rise in support of Bill 64 today. Our government feels that Ontarians should feel confident that when they go outside in their neighbourhood they are working in an environment which is clean and safe as far as possible. We don't want to damage our environment. We recognize that there are some essential uses, some required uses, of pesticides, and we are going to arrange for those to continue. But for those uses which are cosmetic, we don't feel that we need to run the risk of applying pesticides. The member for Trinity-Spadina used the word "pristine." My front lawn doesn't need to be pristine for me to enjoy it. We can go out and dig out some dandelions and cut down some of the weeds and get the lawn aerated and use some alternative products, but my front lawn doesn't have to be absolutely pristine for me to enjoy it. I can enjoy my front yard and my backyard with alternative uses.

I'd like to talk a little bit, actually, about some of the Guelph connections. As members will know, I'm very proud to have the Ontario Agricultural College at the University of Guelph in my riding. Over the years, there has been a huge amount of work done on what are effective pesticides for different crops for agricultural use and what is the safe level of use, what's the lowest level that you need to apply in order to get the desired result of making sure you have a product that hasn't been damaged by insects or weeds, whichever the agent is that you're trying to control. What happens in the agricultural industry is that in order for farmers to be able to use quite large quantities of pesticides—because agriculture and forestry, industries like that, actually are the major, major users—in order to be licensed, they have to take courses in handling the chemicals safely and then they have to get a licence. When they go to buy those large quantities of pesticides, they are doing so based on the fact that they have a licence and the licence is based on the fact that they have been trained in safe handling. I think it's very important to understand that when people like Health



Canada license these products, they are licensing them for people who have been trained in how to handle the product safely.

1020

When we look at our agriculture industry, they're exempted because people in that industry know how to handle the product safely. There are certain uses for many crops where we do need the pesticide to get the sort of production thresholds for those crops that make it economically viable for the farmer to continue in business.

Another industry that is exempted is the forestry industry. That's not an area where Guelph has as much expertise, but I think we've all heard of the huge damage that can be done to forests by invaders like the spruce budworm and the gypsy moth. Again, people who are managing forests must be trained in order to get a licence and then they are licensed for safe application. There are probably some other uses like that and the regulations allow for other essential licensed uses to occur. For example, I had somebody come into my constituency office and talk about whether pesticides will be able to be used in hydro corridors. If you think of hydro corridors in northern Ontario, they go through bushes and you get a windstorm, the trees come crashing down, the hydro goes out. The accessibility of the hydro corridor is extremely important, so you need to be able to get the machinery in to fix those lines when they come crashing down. That means that you want to use herbicides to control the scrub growth along the hydro corridor so that you can get people in to fix the lines. Those sorts of uses, which are essential to getting a function that we need in our society, will be exempted from the ban.

Let's look at some other uses. I also have at the University of Guelph the Guelph Turfgrass Institute, and it does research on lawn care. When it's doing research on lawn care, it looks at how to maintain a golf course. I admit that I am not a golfer, but my brother-in-law is an avid golfer, so I do get to watch enough golf on weekends when he is watching people on whatever tournament is going on over the weekend. I do get to watch it occasionally with my brother-in-law, and what I have figured out is that if you're going to have high-quality golf, you do need pristine grass because if you go to the green, you don't want dandelions and other weeds popping up in the middle and sending the ball astray.

**Mr. Gilles Bisson:** Yes, because then you'd get a mulligan. You'd get a mulligan then.

**Mrs. Liz Sandals:** Exactly. I can figure this out even though I'm not a golfer. I'm sorry that the member for Trinity-Spadina hasn't watched long enough to figure this out, but as I said, I've sort of had to watch occasionally and I have figured out that if you're going to play golf properly, you actually do need a pristine golf course. So we have exempted golf courses because they do need pesticides to maintain the golf course in playable condition. The issue isn't "Does it look pretty?", although that's a side effect; the issue is, "Is it playable?" But what we have also required in the legislation is that golf

courses present a plan that will allow them to reduce their use of pesticides. So where there is an alternative product that may do just as well, where there is a change in management practice that allows that golf course to be maintained, we've asked them to put forward plans to limit the use of pesticides. But once again, the people who are doing the grounds-keeping at golf courses will have to be trained and licensed in safe pesticide handling.

What about the rest of us who just have a front lawn? How is this going to work for us? Well, we've looked at the experience in municipalities that have bans, we've looked at the experience in Quebec, which has a provincial ban, and one of the things that is very apparent is that if you only ban the use—which is what the municipalities have the power to do—and you leave those pesticides on the shelf at Canadian Tire, Home Depot, the neighbourhood nursery or wherever it is you go to get your banned products, what happens is that you end up with people with no training using the pesticides.

That's why we are implementing a retail sales ban on pesticides. What that means is that those people who are exempted and who are licensed will still be able to buy the pesticides. But for somebody like me, who doesn't have the training and doesn't have a licence, I will not be able to buy the pesticides. That makes the ban much more effective. If people like me, who need to maintain their front lawn, can't do an end-run on the ban, then you have a much more universal ban. And, quite frankly, the enforcement issues go way down, because if you can't get the chemical in the first place, then the enforcement issues aren't nearly as severe as for those people who currently have municipal bans.

What about the issue of, "But our ban is going to be the same all across the province"? Let's go back to my friends at the Guelph Turfgrass Institute, who are interested in doing research for alternative lawn care programs. What my friends at the Turfgrass Institute tell me is this: "We in the lawn care industry can live with a pesticide ban, but if we're going to do research on effective alternatives, we need to deal with consistency. We can't have major research projects for every municipality that has a different set of bans. What we need is a level playing field so that we have some consistency across Ontario and we can do good research on effective alternative means. If you're going to have us do this properly and actually come up with good alternatives"—for people like me who want their front lawn to look okay; not pristine, but okay—"you need a consistent ban which allows us to do good research and find good alternatives for the everyday household consumer."

I am very pleased to be able to support this bill. I think it takes us a long way forward in doing what we need to do around pesticide use, which is to allow essential use to continue but to provide alternatives for cosmetic non-essential use.

**The Acting Speaker (Ms. Andrea Horwath):** Questions or comments?

**Mr. Norman W. Sterling:** Again, our caucus looks at this bill with the idea that perhaps a pesticide ban should



or should not be implemented for front lawns for people across Ontario. But what we want to point out is the dichotomy and the problem with the argument that the Liberals put forward, which is that pesticides are okay on farms, agricultural lands and a golf courses because they are being applied by professionals. Well, many of the pesticides and herbicides that are applied to front lawns and landscapes in urban municipalities are also applied by professionals. So we can't quite understand the argument put forward by the government that professional application is okay 100 yards away from a front lawn, on a farm, but it can't be applied by professionals on the front lawn of a particular housing area.

The other part is that this only applies to 4% of all pesticides and herbicides in Ontario. What we think the government should do is get the real scientific basis as to how harmful these particular substances are to the health of all Ontarians. If they are harmful to all Ontarians, then we should consider a total ban, if that's what the science says. But we don't have the science. What we would like is for this ban and this legislation to follow science, not follow political polls.

1030

**Mr. Gilles Bisson:** I want to thank the member for what was a riveting speech on this particular issue. I listened quite intently. There are a couple of parts to this bill that I think generally are going to get support, and we'll send it off to committee, but once it does get to committee, there are going to be people asking some pretty straight-up questions.

I think the first question people are going to be asking as they come to committee is: Why is it that this government is limiting what municipalities can do? We know, for example, that there are a number of municipalities across Ontario that have already taken a very aggressive and, some would argue, a progressive, stand on banning pesticides in their municipalities. This legislation is going to supersede that. I think there are a lot of people in municipalities who are going to be saying, "Why is the province doing that? Why are they limiting our ability and our choice to deal with pesticides within our own municipality?" People can draw their own conclusions as to why that is, but I think one of the questions that need to be answered when we get to committee is: Why is this bill structured in such a way that, at the end of the day, it limits what municipalities can do? In some cases, it takes away some of the work that's already been done by some of the municipalities.

I agree with the member that there are a lot of things that we can do naturally in order to control various types of weeds on people's lawns. A lot of the research that's been done here in Ontario is good research and it's not a bad way to go, but the question then becomes: Why is it that we're limiting pesticides in some areas and not in others?

We talked about golf courses. There are many municipal and private golf courses within municipalities across Ontario. Why is the government taking the view that they're going to limit the use of pesticides on lawns but

not limit them in the same municipalities where there are golf courses? So I think there are some questions to be answered in committee, and I look forward to that time.

**Mr. Khalil Ramal:** I was listening carefully to the member from Guelph speaking about supporting this bill. She spoke eloquently and described why we have to put a ban on the cosmetic use of pesticides on house properties, industrial parks and many different types of parks.

I come from London. London is well known as a photo city. My riding of London-Fanshawe has beautiful parks. So many kids and families go on the weekends and on many different occasions to enjoy those parks. They go to play, to barbecue, they invite their families to birthdays and sometimes weddings. Can you imagine this park being sprayed by chemicals that can affect our youth and people, and the health hazards that would cause?

I think this is a very important step that our government is taking. I think it's important for us to protect our children and our families and to allow them to go to parks and to play in their front and back yard with no hesitation or problems. It's important. As I mentioned, many people in this province enjoy their spring and summer outings. They can go to the parks and play without even thinking about hazards or problems. That's why I'm speaking in support of this bill.

I also want to congratulate my colleague the member from Guelph for stating all the elements in support of banning these cosmetic pesticides, because they're not good for the people, the environment, the kids, the families, and not good for our health. I think this is a good step, and I wish that all the members in the House come forward and support this initiative. In the end, it's our goal and aim to create a healthy environment and to protect our environment for years to come.

**Mr. Norm Miller:** I'm pleased to add some comments to the speech by the member from Guelph to do with Bill 64, An Act to amend the Pesticides Act to prohibit the use and sale of pesticides that may be used for cosmetic purposes.

This past week, of course, was constituency week, and I had the opportunity to meet with a couple of different agricultural organizations and people involved in farming over the course of the week. One of the groups I met with was the East Nipissing/Parry Sound Ontario Federation of Agriculture, and I was interested to learn that the number one issue for small farmers in Nipissing and Parry Sound is red tape. They gave me countless examples of how you may have the Ministry of Agriculture trying to assist them, but then you have four other ministries making life more difficult for them. So my question to do with this Bill 64 is, what new red tape is this government going to create for farmers? I note that farmers are excluded in terms of this bill. However, what new process are they going to require farmers to go through, beyond the training they already have, to be able to use pesticides in farming?

It was interesting. In the group I met with, there was an owner of a local small abattoir in Magnetawan, and he pointed out that the farmers would really like to see that



abattoir stay in business. They've already lost one local abattoir because of the new rules and red tape that have been created by this government. They really want to see this abattoir stay in business because it means that they can ship locally, close to home, and that's something we should be promoting.

Unfortunately, I only have another 10 seconds, so I can't get into other issues. But my question is, what new rules is this government going to create for farmers with this bill? I hope you'll think carefully about it so that you don't make life more difficult for the small farmer.

**The Acting Speaker (Ms. Andrea Horwath):** The member for Guelph for a response.

**Mrs. Liz Sandals:** I'd like to thank the members from Carleton-Mississippi Mills, Timmins-James Bay, London-Fanshawe and Parry Sound-Muskoka for their comments.

I'd just like to review a few points, if I may. First of all, we know that pesticides are chemicals which, if handled improperly, cause risks to human health, to animal health and to the environment. So, when we get right down to it, the purpose of this bill is to minimize risk. The use of pesticides will be exclusively in the hands of people who have been trained and licensed in safe use. People who are in the agriculture industry, in the forest industry and in lawn care at golf courses will be exempted from the ban, because they have been trained. For the rest of us, who don't really need to have a pristine lawn, we will not be able to access pesticides which, if used inappropriately, can cause harm.

There has been a lot of comment here about consistency and whether we should let the cities have bans which are tougher. First of all, I would review what I heard from my local lawn care companies, which is: "We can live with the legislation that you're putting into place, provided we have consistency across municipalities so that we can do the research and come up with good alternatives. We need consistency to do that."

I would like to refer to the mayor of Guelph, because many people have pointed out that Guelph has a stricter ban. In fact, the mayor commented that our ability to ban sales makes this a whole lot tougher, and that's something the municipality can't do.

**The Acting Speaker (Ms. Andrea Horwath):** Pursuant to standing order 47(c), six and a half hours of debate on this bill having occurred, I am now required to deem this debate adjourned, unless the acting government House leader indicates otherwise.

**Hon. Ted McMeekin:** I wish debate to proceed at least until question period.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Ms. Laurie Scott:** I'm pleased to join this debate this morning to discuss Bill 64, An Act to amend the Pesticides Act to prohibit the use and sale of pesticides that may be used for cosmetic purposes. I'm hoping that we're going to be allowed to have the full debate on this very important issue.

I can tell you, as an MPP now and as a health professional for over 20 years, I do agree that we need to drastically reduce the amount of toxic and oftentimes cancer-causing materials that we come into contact with every day. Of course, reducing or eliminating pesticides may well prove to be a very good option, but the government has to do its due diligence and ensure it has proper scientific data to move forward. We've heard that comment many times in the Legislature this morning. We support the concept of eliminating non-essential pesticide use to protect the health and environment of this province, but our side of the House supports a science-based approach to ensuring that our health and environment are protected.

1040

When it comes to the use of chemicals on our foods, parkland and gardens, some current facts in the province of Ontario right now with respect to pesticides: Their use is already regulated federally by the federal Pest Control Products Act, which controls the sale and use of pesticides in Canada. The Food and Drug Act allows for the setting of maximum limits for pesticide residues in foods. The Environmental Protection Act includes numerous provisions to protect the environment and human health from injury from pesticides. The Fertilizers Act requires registration of fertilizer-pesticide mixtures. And the Feeds Act prevents the contamination of livestock feeds. Here in Ontario we also have the Ontario Pesticides Act, the Municipal Act, the Weeds Act and the Crown Forest Sustainability Act.

One thing that is not in the legislation is the fact that there is not a clear delineation of the difference between non-essential use of pesticides versus cosmetic use. For example, there are serious health and environmental risks that are controlled through the use of pesticides—everything from severe allergies to insect infestations to physical injuries. We must be sure there is an ability for the use of pesticides in essential situations as opposed to cosmetic, to ensure protection in cases of health and environmental risk. As it stands, the legislation is very vague on this very important aspect. We must demand that the science behind this ban is solid and clear.

Equally important, I hope the motivation for legislation such as this is based on science, not simply on an emotional aspect of anti-pesticide argument, or basically a political argument, not a scientific argument. This is one of the key reasons why I feel this should be going to committee, so a proper, full consultation can be done. We can hear from related stakeholders. We have to build—and we owe it to the people of Ontario—a very proper balance of safety and environmental care along with a sustainable piece of legislation that makes good sense.

I've spoken about agriculture in my riding of Haliburton-Kawartha Lakes-Brock, and one of its most important economic drivers is agriculture. It's a huge employer. It's vital to the sustainability of so many other aspects of rural Ontario. I'm very proud to say that farmers in Ontario reduced their pesticide use by over 50% in the last 15 years, so they should be given proper



credit for their leadership and for being great examples of stewards of the province through their proper and informed study and use through integrated pest management, or IPM.

If we're going to start down this slippery slope, as the Premier likes to phrase it, we have to ensure that it is done properly, fairly and based on facts. Agricultural use is exempted from the pesticide ban. While we support the use of pesticides by farmers to ensure their continued ability to grow their product, I am concerned that once again the Liberal government has brought forward a double standard of sorts.

Let me read from Scotts Canada's response to the Environmental Bill of Rights—no relation to me, just to put that on the record:

"To introduce a ban on the use of Health-Canada-approved pest control products in urban centres while permitting their use in rural settings establishes two standards of health and safety for Ontario residents. Clearly where our health and the health of our environment is concerned, a double standard is neither desirable nor acceptable."

There is also a concern in the agricultural community that this ban is a slippery slope, as noted by the Ontario Federation of Agriculture ad which they put out:

"Ontario's proposed ban on lawn and garden pesticides is moving forward, and could have a significant impact on farmers. All pesticides undergo the same rigid health and safety standards. With Health Canada's review in place and by following label directions, pesticides can be used safely in agriculture, on fairways and greens, lawns and gardens, in forestry or in public health settings. Banning pesticide use in urban settings while maintaining they are safe for use in agriculture undermines the public confidence in farming, the safety of our food supply and Health Canada's regulatory safeguards."

I'm sorry that I have to end my part in the debate this morning, because question period is about to start.

**The Speaker (Hon. Steve Peters):** It being 10:45, the debate stands adjourned.

*Second reading debate deemed adjourned.*

## INTRODUCTION OF VISITORS

**The Speaker (Hon. Steve Peters):** I'd like to take this opportunity to introduce some guests who are joining us today.

On behalf of the member from Oak Ridges–Markham; Richmond Hill councillor Greg Beros, Heather Beros, Naim and Lubna Malik and Shaista Ali, in the east members' gallery.

On behalf of the member from Kitchener–Conestoga, we would like to take this opportunity to welcome a gentleman by the name of Jeff Preston. Jeff has been raising money for muscular dystrophy for over 11 years, and he's travelling from London to Ottawa in his wheelchair to raise awareness of transportation barriers.

As well, on behalf of the Leader of the Opposition, I'd like to welcome students and teachers from a high school located in the riding of Leeds–Grenville. Grade 10 civics students from Thousand Islands Secondary School in Brockville will be in the gallery today, along with teachers James Cross, Conrad Walpot and Ashley Bell, and parent volunteer Rhonda McNish.

## ORAL QUESTIONS

### ACCESS TO HEALTH CARE

**Mr. Robert W. Runciman:** I have a question for the Premier regarding his government's priorities. Last week, the Ontario Health Quality Council reported that the lives of 8,000 Ontarians could have been saved if your government gave some priority to chronic disease management in the province. The council has reported that electronic health records would have helped save those suffering from chronic diseases. Premier, why is saving the lives of 8,000 Ontarians not a priority for your government?

**Hon. Dalton McGuinty:** I'm going to refer this to the Minister of Health.

**Hon. George Smitherman:** It was interesting to hear the honourable member quote from a report from the Ontario Health Quality Council because he and the members of his party opposed that very institution when it came forward.

We feel very strenuously that the work they do and the independence they have in making comments about the health care system in Ontario is a very important thing. It was noteworthy as well that their report commented on the fact that the number of people in Ontario who are in search of a family physician has been reduced to 400,000 as a result of our government's actions.

On the matter of chronic disease management, we've made substantial investments in enhancing the support for people with diabetes. Over the course of the next little while, as we roll out our diabetes strategy, which includes a diabetes registry—further evidence of our capacity to address the situation for 900,000 Ontarians will be very evident.

**The Speaker (Hon. Steve Peters):** Supplementary? The member for Kitchener–Waterloo

**Mrs. Elizabeth Witmer:** It's obvious that chronic health management isn't a priority and it's obvious that e-health development isn't a priority for this government either. You wonder what might be.

We know that the health of the people around the province is being jeopardized because they don't have a family doctor. We have about 30,000 in Kitchener–Waterloo, 15,000 in Peterborough, 14,000 in Kingston and 40,000 in Hamilton. We also know that eye diseases like glaucoma, which can lead to blindness, go undetected because this government delisted eye exams



from OHIP. We also know that long-term-care residents aren't getting the hours of care they need.

Why is this government making sex-change operations a priority when hundreds of thousands are without a family doctor, when eye exams are not covered and when long-term-care residents are forced to sit in their own urine and feces?

**Hon. George Smitherman:** It's disappointing that the honourable member, whose leader gave me private assurances of that party's commitment to the relisting of that procedure, can't back that up in the Legislature. And it's further disappointing that a party that continues to be in favour of a \$3-billion cut to health care stands and asks these questions, all calling for additional expenditure.

I want to say to the honourable member, with respect to the first question that was asked regarding diabetes, that the actions our government has taken to expand health care services in the form of doctors to 650,000 Ontarians is a very strong example of making up for the lost time that was created while they sat idly by. The Ontario Health Quality Council report of last week says that 400,000 Ontarians, a reduction from prior numbers of 1.2 million or 1.4 million, are focused on getting care. Through our advances with more family health teams, we're going to deliver that care to them and reduce the challenges associated with family doctor shortages that they left behind.

1050

**Mrs. Elizabeth Witmer:** First of all, I'd like to clarify the record. Our leader did not say as the minister has indicated he said. That is an outright lie—

**The Speaker (Hon. Steve Peters):** I would ask the honourable member to withdraw that comment, please.

**Mrs. Elizabeth Witmer:** I withdraw that.

I would also say to the honourable member that we have a report today in the Toronto Star on Ray Griffis, a cancer patient. He wrote to your Premier to tell of his harrowing experience at a hospital here. He said he waited for hours in the emergency room, and we know that there are hundreds of thousands of people doing that throughout this province. It's shameful. Once he was admitted, he was left unattended. There was no one to help him go to the bathroom. After repeatedly soiling himself, the nurses threw some diapers at him and told him to clean himself up. I say to you, Minister: Why do you not make emergency room patients such as Mr. Griffis a priority and help them retain their health and their dignity?

**Hon. George Smitherman:** The first thing I want to say in response to the honourable member's assurance is that she was not part of any private conversation on the issue of the matter that the Leader of the Opposition made personal assurances to me on in a private conversation, and her ability to stand in her place is narrowed by that. But on this issue of the circumstance that the honourable member raised of the care of an individual in an emergency room at North York General Hospital, the events that are outlined in this story in the paper today are not an appropriate circumstance. We expect and de-

pend upon the hundreds of thousands of people who work in health care to provide that care in a fashion which is appropriate, respectful and compassionate at all times. I'm as disappointed as anybody else reading that story. The people at North York General will most certainly be hearing from us as we work with Dr. Alan Hudson to make an even greater focus on the reduction of wait times in Ontario's emergency rooms.

**The Speaker (Hon. Steve Peters):** New question, the member for Kitchener–Waterloo.

**Mrs. Elizabeth Witmer:** The government opposite has had since 2003 to deal with emergency rooms, and they still haven't unclogged them.

## C. DIFFICILE

**Mrs. Elizabeth Witmer:** Going to question 2, the Hamilton Spectator reports that at least 260 people infected with C. difficile have died in our hospitals since the middle of 2006. We only know about these deaths because they have been voluntarily disclosed by seven hospitals. Minister, can you tell us today how many people infected with C. difficile have died in all of the 155 hospitals since 2006 and how many hospitals are currently dealing with the C. difficile outbreak?

**Hon. George Smitherman:** I do want to thank the honourable member for this question. The matter of C. difficile is well-known to be a problem in hospitals in the developed world. The challenges associated with it are very, very strenuous. They require all of us—visitors to the hospital, patients and those who work in the hospital—to be very attentive to our responsibilities, to practise the appropriate procedures and especially to be very, very dedicated to hand washing. It's our intention to move forward on the advice that's come from others, including Dr. Michael Baker, on issuing an edict to hospitals which will provide for regular mandatory reporting of C. difficile outbreaks.

We're working at present through the Ontario Hospital Association to create a regime which over the next many months will create substantial enhanced transparency for Ontarians about outbreaks and other matters of patient safety concern. This will be a substantial advance, building on the investments that we've made and the expectations that we have.

**Mrs. Elizabeth Witmer:** It's absolutely shocking that this minister can still not answer a question that he was first asked on May 8. It makes a mockery of his January 2, 2007, statement, when he said, "It is our job as a government to learn from SARS and ... respond rapidly to health emergencies ... to protect Ontarians."

You knew that there were over 2,000 deaths from C. difficile in Quebec in 2003. You know that the Canadian Medical Association in 2004 recommended that each province develop an outbreak plan—which, by the way, Quebec and Manitoba did. You also were advised in July 2007 by Michael Baker that you should start mandatory reporting.

Minister, why didn't you follow Quebec's lead and Manitoba's lead? Why did you not listen to Dr. Baker?



Can you tell the families of those who died from this disease why you still have not taken action to introduce mandatory reporting?

**Hon. George Smitherman:** First off, I think it's very important to acknowledge that the events which did occur in provinces like Quebec was information that all of us were aware of, those who work in government and those who have the important responsibilities of managing hospitals on the front line. Steps have been taken by all of them to introduce and enhance procedures which have at their heart the protection of the patient, but the obligation is the obligation shared by all of us who enter those environments. That's why it's important that we acknowledge the power each of us has.

In the hospital that the honourable member mentions, there are infectious control officers who have been paid for by the government of Ontario who are operating in that environment. We've created 14 networks across the province of Ontario for infectious disease. We've founded the provincial infectious disease advisory committee. We've taken important steps. In addition, we've recently had a report from the coroner based on an inquest into circumstances in Sault Ste. Marie, which, working with Dr. Baker and others, we're going to implement across the province to enhance the transparency associated with this information—

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary.

**Mrs. Elizabeth Witmer:** You start to wonder what are the priorities of this government and this minister. Many families of patients who have died are outraged. They find it absolutely unbelievable that the government failed to issue public warnings, knowing what was happening, or heeded the advice of experts to introduce mandatory reporting. They wonder how many people have needlessly died since 2005. They wonder how many are going to be walking into hospitals in the future, thinking they're going there to get well, and instead, they're going to contract C. difficile.

SARS killed 43 people. There was an inquiry. On your watch, over 260 people in just seven hospitals have already died, and these are just the ones we know of. I ask you today: Will you recognize that this is a priority, and will you undertake an independent investigation into C. difficile deaths? Will you commit to do so today?

**Hon. George Smitherman:** The actions with respect to C. difficile and the protection for the public in circumstances where they're in hospitals is information that's known to everyone and shared by all. The responsibility for taking action includes those who run Ontario's 154 independent hospital corporations.

But we're going to add to those steps we've already taken: the infectious disease advisory committee, the infectious disease networks in each of our local health integration networks, putting additional workers who deal with infectious disease into all hospital environments, with a very forceful regime of mandatory reporting, not only on C. difficile but on a wide variety of other challenges in the hospital environment that affect patient

safety. We're working on the implementation of that, building on the advice of Dr. Baker and in partnership with the Ontario Hospital Association. We know that additional transparency is a powerful tool for patient safety, and in all these matters where there is now transparency, there was none implemented on the watch of that party when they were in government.

## AUTOMOTIVE INDUSTRY

**Mr. Howard Hampton:** My question is for the Premier. More than 35,000 auto workers in Ontario have now lost their jobs. Last week, I was in Oshawa and met with some of those very workers who no longer have a job. One of them asked me to ask you this question: Why did the McGuinty government sign cheques worth close to half a billion dollars in contribution to automaker corporations without getting job guarantees for some of those workers in Oshawa who are now out of work?

**Hon. Dalton McGuinty:** I'm pleased to take the question. I would commend to my colleague a column—I think it's in today's paper or during the course of the weekend—put in by Buzz Hargrove, the head the Canadian Auto Workers union, who speaks in a very complimentary fashion about the approach we have taken to compete in a highly competitive global economy to land new investment in the auto sector in particular.

One of the reasons we are doing so well is because we are number one in productivity, number one in quality and number one in the level of skills and education of our workers. We will continue to compete. We will continue to work with the CAW. We will continue to work on behalf of CAW workers and other auto workers throughout the province of Ontario. I remain very optimistic about the future of the auto sector in the province of Ontario.

1100

**Mr. Howard Hampton:** One of those auto workers was Bill Delaney. Mr. Delaney worked in Oshawa's auto sector for a number of years. He admits it was a good job for both him and his family, but last year Bill Delaney and 300 of his colleagues were told they no longer had a job.

Mr. Delaney not only feels let down when he sees hundreds of millions of dollars going to General Motors and he's told, "You're out the door," but he also wants to know something else: Why would the McGuinty government be opposed to bills put forward by New Democrats that would ensure that, when workers are laid off, they're able to collect their full pay for work done, they're able to collect their vacation pay and they're able to collect their severance pay? Why would the McGuinty government, which says it wants to ensure that jobs and workers are treated fairly, not vote for and support legislation that would ensure that those workers get their severance pay and their vacation pay?

**Hon. Dalton McGuinty:** I'm pleased to speak to it. First of all, let me just say, with respect to what's been happening to the auto sector in North America, that the



competition has been intense, the restructuring has been severe and there have been job losses throughout North America for people caught up in this due to circumstances entirely beyond their control. But we have been, in perspective, doing better than the others. Between 1999 and 2005, Michigan lost 30% of its auto jobs; that's 90,000 jobs. Ohio lost 19% of their jobs. Indiana, which also has the benefit of Asian investments from Toyota and Subaru in addition to their Big Three, lost 15% of their auto jobs. Ontario lost 5% in the same time frame. We have secured \$2.5 billion through our GM Beacon project. It is true that we have lost jobs in the auto sector in Ontario, but in comparison to the rest of North America we are—

**The Speaker (Hon. Steve Peters):** Thank you, Premier. Final supplementary.

**Mr. Howard Hampton:** Bill Delaney isn't interested in what you may or may not know about Michigan or Ohio. What Bill Delaney wants to know is how the McGuinty government could hand out half a billion dollars to auto sector companies without getting job guarantees. He wants to know why the McGuinty government would vote against bills that would ensure workers get their severance pay, get their vacation pay and get a pay cheque for work they've already done, but he also wants to know something else: Why would the McGuinty government oppose a Buy Ontario strategy, which would ensure that 50% of the work done on transit equipment is done here in Ontario? Why would the McGuinty government be opposed to a reasonable industrial hydro rate to ensure that manufacturers can continue to operate in Ontario? Why is the McGuinty government opposed to a refundable manufacturing investment tax credit—all of which would ensure that manufacturing jobs stay in Ontario?

**Hon. Dalton McGuinty:** The leader of the NDP tells us he's concerned about the plight of individuals who lose their jobs at this point in time, and he's concerned about the plight of the working individual, but he voted five times against our five separate increases for the minimum wage. He talks about 50% when it comes to made-in-Ontario policies. We've got an 82% policy in place. Eighty-two per cent of the money we put into our \$17.5-billion infrastructure program for public transit will be invested in the Ontario economy.

As a result of our most recent budget, we're putting 190 million emergency dollars into the hands of our manufacturing sector. They'll be getting those cheques at a time when they need it. That's exactly the kind of thing they've been looking for, contrary to the policy that my friend has been embracing for some time now.

**The Speaker (Hon. Steve Peters):** New question.

**Mr. Howard Hampton:** To the Premier: Yes, New Democrats will vote against minimum wages which ensure that workers work and live below the poverty line.

#### ABORIGINAL RIGHTS

**Mr. Howard Hampton:** I want to ask the Premier about Neskantaga First Nation. Neskantaga First Nation

sent a notice to your government and to a mining exploration company saying, "If you want to explore on our traditional territory, we ask that you give us notice and you come and talk to us." Company X complied with Neskantaga's request and came to the First Nation and said, "Yes, we'd like to talk to you." But another company, Temex Resources, completely ignored the First Nation, completely ignored the First Nation's request, and went ahead and staked claims and cleared land. The McGuinty government then went and recognized the claim of Temex Resources.

My question: Is this the McGuinty government's idea of a mineral exploration process that is fair to First Nations and fair to exploration companies that want to work with First Nations, to recognize the claim—

**The Speaker (Hon. Steve Peters):** Thank you. Premier?

**Hon. Dalton McGuinty:** I'm not familiar with the specific circumstances raised by my colleague, but I can say that we certainly believe on this side of the House that it's time for us to work together to modernize the Mining Act. The competing interests here, which we believe we've got to find a way to reconcile, include the rights of our aboriginal communities to receive notice and to respect their right to shape their own future in terms of land management. There are also the rights of northern Ontario and rural Ontario communities, which find a lot of good, high-paying jobs in the mining sector. Finally, there's another interest to be reconciled, and that is the natural environment and our responsibility to our children to make sure we pull all this together in a way that respects their right to a sustainable, healthy environment over the long term.

I'm not familiar with the specific details of this, but I can tell you that we have seized ourselves with this responsibility. This law has been in place for over 100 years—that is, the Mining Act—and we're working hard to change it.

**Mr. Howard Hampton:** You've been the government for five years now. For five years you've been repeating this line, and for five years, companies that do try to work with First Nations and show respect get pushed to the back of the line. Meanwhile, your government recognizes the mining claims of companies like Temex Resources and Platinex, corporations that show no respect for First Nations. I think it's time for the talk to end and the action to begin.

My question is: Why won't the McGuinty government tell First Nations today that you will not record any mining claim unless and until there is consultation and accommodation of First Nation interests?

**Hon. Dalton McGuinty:** We're talking about a law here, the Mining Act, that's been on the books I think since 1873. There are a lot of interests that have institutionalized themselves since it was first put in place, so it's not the kind of thing that we can instantly undo. We're working hard and well to ensure that we approach this intelligently.

I've just been handed a note here that tells me a bit more about the Temex situation, and I've been assured



that the company has now said that no further staking development will occur without first discussing this with the First Nation involved, which I think is the responsible thing to do in the circumstances.

**Mr. Howard Hampton:** What the Premier fails to recognize is that another mining exploration which wanted to show respect for First Nations and worked with First Nations from the outset has been elbowed out of the way because the McGuinty government allowed Temex Resources, which showed no respect for First Nations, to have their mining claim recognized.

Premier, all it would take is a regulation—it doesn't take a complete reworking of the Mining Act—out of the Ministry of Mines or the Ministry of Natural Resources that would simply say that the McGuinty government is not going to record any further mining exploration claims unless and until there is a record of consultation and accommodation with First Nations. It doesn't require any more talk; it doesn't require any more speeches. On the day of national reconciliation with First Nations, I ask the Premier: Is the McGuinty government prepared to pass a regulation that says you will not record further mining claims unless there is a record of—

**The Speaker (Hon. Steve Peters):** Thank you, Premier?

**Hon. Dalton McGuinty:** I'm not prepared to make that commitment, but what I can say is that we will continue to work hard and well with our aboriginal communities. I am proud of the record that we've established in less than one year in terms of putting in place our first-ever Ministry of Aboriginal Affairs. We put in place a \$3-billion groundbreaking revenue-sharing agreement. Just last week, we announced our new partnership fund of some \$25 million. We have committed to reviewing the Mining Act and we will continue to do that in consultation with our aboriginal communities.

1110

### C. DIFFICILE

**Mrs. Joyce Savoline:** To the Premier: Ideally, I would have asked this question of the Minister of Health, but his earlier answers were inadequate and clearly trying to shift the blame.

Unfortunately, 200 deaths from C. difficile, nearly four times the number of people who died from SARS, have generated little action on the part of your minister, Mr. Premier. Fern Merchant's father went into hospital in December 2007 for elective knee surgery and ended up losing his life to C. difficile. Mrs. Merchant told me that she wants your minister to resign. Can you tell Mrs. Merchant why it took news reports for you to notice the problem?

**Hon. Dalton McGuinty:** To the Minister of Health.

**Hon. George Smitherman:** To the contrary: I don't think it would be appropriate for the honourable member to conclude that her local hospital wasn't aware of the challenges with C. difficile, and no Minister of Health would pretend that was the circumstance. The circum-

stances that have occurred with respect to C. difficile are widely known in the health care community and most particularly in the hospital community.

Aside from the honourable member's suggestion that it's about passing responsibility along, it's to acknowledge that we have a shared responsibility associated with the protection against infectious disease that occurs in the hospital environment and that starts from the spread of feces. This is why it is so important to reinforce the necessity of everyone in the hospital environment—visitors, patients and those who work there alike.

We've taken important steps. We've taken steps to have infectious disease control officers working in the very hospital that the honourable member speaks about. I'll be happy in supplementary to speak about the other initiatives we've already—

**The Speaker (Hon. Steve Peters):** Supplementary.

**Mrs. Joyce Savoline:** Again to the Premier: This isn't about one facility; THIS is about many facilities across our province. The inaction of your government, and specifically of your Minister of Health, has really shattered the public trust in our health care system. It is a slap in the face, Mr. Premier, to the families who have lost loved ones to C. difficile and to those who are still struggling with the disease.

Your minister has been withholding funds specifically from Joseph Brant Memorial Hospital and also other hospitals. The coroner's report from the Sault Ste. Marie hospital, following an outbreak up there, clearly indicated that aging hospitals are at an increased risk of hosting an outbreak. That report has been in your minister's hands for over a year.

When will you finally tell these families how many people have died on your watch, and when are you going to investigate the C. difficile outbreak in Ontario?

**Hon. George Smitherman:** First, I want to say to the honourable member that substantial steps have been taken. There are 137 infectious disease control officials that have been implemented in Ontario hospitals, including the two in the member's community. We've initiated a hand hygiene protocol that was implemented by the WHO. We have formed provincial infectious disease advisory committees to give us advice on these matters, created 14 disease control networks and more than doubled provincial public health funding in the province of Ontario, and we're moving forward on the recommendation of Dr. Baker to implement mandatory reporting.

When the honourable member wants to talk about withholding funds from her local hospital, we know that she's on precarious ground; first, because during the eight and a half years when her party was in office, they didn't rebuild that hospital, and, more to the point, because she continues to represent a party that proposes a \$3-billion cut to health care.

**Ms. Lisa MacLeod:** On a point of order, Mr. Speaker: I think it's well acknowledged on this side of the House that the only thing the Progressive Conservative Party ever wanted to cut out of the health care system—



**The Speaker (Hon. Steve Peters):** I say to the member that that's not a point of order and that I ruled on that issue a week and a half ago.

### C. DIFFICILE

**M<sup>me</sup> France Gélinas:** Ma question est également pour le ministre de la Santé et des Soins de longue durée.

We've heard many times this morning that since 2006 over 200 Ontarians have died from C. difficile. As well, in a recent medical journal, we learned that a significant number of hospitals are reusing medical devices. How many more shocking disease outbreaks will occur before the minister realizes that Ontarians deserve their hospitals to be transparent and accountable by agreeing to Ombudsman oversight today?

**Hon. George Smitherman:** We do intend to move forward with substantially enhanced transparency on a wide variety of matters, leading with C. difficile, factors occurring in hospitals which pose risks to patients. We're looking forward to using the energy and the opportunity that's been provided by the work done by the coroner's inquest into circumstances in Sault Ste. Marie and implementing that. That's why we feel it's so important to take advantage of the information that is available and to work rigorously on its implementation.

On the issue of single-use devices being reused, I will, by way of supplementary, offer information to the honourable member.

**M<sup>me</sup> France Gélinas:** Ontarians lose confidence in our health care system when almost four times as many Ontarians have died from C. difficile as from SARS, especially when preventive steps were not taken.

The minister failed to learn from the massive outbreaks in Quebec. He failed to listen to a top adviser who urged mandatory reporting of C. difficile now. Instead of claiming to take action, why won't the minister agree to truly making hospitals transparent and accountable and agree to an NDP solution, which is an ombudsman oversight of hospitals now?

**Hon. George Smitherman:** In the honourable member's earlier question, she asked about the reuse of single-use medical equipment devices. I can tell the honourable member that in Ontario in 2004, we implemented much more rigorous conditions around the reuse of any of these devices. It's a widely held practice, but we've made sure that methods with respect to sterilization are there to ensure the protection of the public in all of these matters.

On the issue with respect to C. difficile, it's not appropriate for the honourable member to suggest that the government was not proactive while, at the same time, seeming not to acknowledge the responsibilities that hospitals have, and the information and resources that they have to address the circumstances related to infectious disease. We have more than doubled the funding for public health in Ontario. Public health capacity around the province of Ontario has been substantially enhanced and is there as part of the resource to assist hospitals in

dealing with the challenges related to infectious disease. That's why we're moving forward with the rigorous modelling that will provide much more transparency—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. New question.

### ANTI-SMOKING LEGISLATION

**Mr. Phil McNeely:** My question is for the Minister of Health Promotion. New regulations under the Smoke-Free Ontario Act will soon be coming into effect. The new regulations to ban power walls will build on our government's groundbreaking Smoke-Free Ontario Act, which bans smoking in schools, hospitals, offices, restaurants and most other indoor public places. Families in my riding are watching this closely, as are small business owners, health professionals and anti-smoking advocates.

Everyone agrees that these step are necessary to help reduce smoking, but there's concern about how the new rules will be enforced. Convenience stores will be required to hide retail tobacco displays after May 31. This includes cigarettes, cigars and chewing tobacco. Customers will also be prevented from handling products themselves. This is a big change for the way tobacco is bought and sold in Ontario.

Minister, convenience stores in my riding are concerned about what will happen on May 31. What education and enforcement are being taken to prepare retailers for the ban?

**Hon. Margaret R. Best:** I would like to thank the member from Ottawa-Orléans for his question. The member is indeed correct. On May 31, our government will implement the next step of our landmark Smoke-Free Ontario Act, which will ban the retail display of tobacco products in stores. This ban is about saving lives. It is about reducing health care costs by ensuring that our young people do not start the habit of smoking and by helping smokers to quit.

Tobacco-related illnesses cost Ontario's health care system \$1.6 billion annually. That is 500,000 hospital days. We understand the challenges that convenience store owners are facing during this transition period. That is why we're working in partnership with public health unit officials and the Ontario Convenience Stores Association—

**The Speaker (Hon. Steve Peters):** Supplementary.

**Mr. Phil McNeely:** Again to the Minister of Health Promotion: It's important that these new measures take hold in Ontario. Retailer education is key to that success. The health of our children and families is too important. I wish to thank the retailers in my area for participating in this. The damaging effects of tobacco use hardly need to be repeated in this House: 13,000 deaths every year in Ontario are linked to tobacco-related illness. It is the leading preventable cause of death in Ontario.

While some members of John Tory's PC Party may argue that the jury is still out on second-hand smoke, most credible voices agree that we should all take action to help smokers quit. Ontario's teenagers know the truth.



Perhaps the smoking skeptics in the opposition should have joined them at the youth Take!Action conference to learn the real story.

While the Ministry of Health Promotion and the Ministry of Small Business and Entrepreneurship have been working with the Ontario Convenience Stores Association and others to implement the new power wall ban.

**The Speaker (Hon. Steve Peters):** Thank you. Answer.  
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**Hon. Margaret R. Best:** We are committed to working with our partners to accomplish our goal of saving lives.

I am pleased to report in this House today that in partnership with public health unit officials, tobacco enforcement officers have visited 99% of all known tobacco vendors across Ontario. Of these businesses, public health units report that more than 95% will be ready and in compliance with the May 31 display ban. In cases where vendors are experiencing challenges, enforcement officers are working with these businesses to help them to comply. The public health units are apprised of the concerns facing some of these vendors, and while they are in the minority, we are mindful of their concerns. I have suggested to the public health units, which are responsible for enforcing the ban, that in their enforcement they apply a—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Ms. Sylvia Jones:** My question is for the Minister of Community and Social Services. Direct funding for families is referenced in Bill 77, yet I've heard from many, many families across Ontario who have been denied Passport funding. Families have come to Queen's Park today because they are tired of waiting for action from your government. If direct funding to individuals is a priority, why have 90% of the families who have applied for Passport funding been refused?

**Hon. Madeleine Meilleur:** When this government came to power five years ago, nowhere was the need for modernization greater than in developmental services. So when we came into power, we asked Ernie Parsons, who was an MPP at the time, to review the situation with the parents, to engage the parents to tell us what they want for their loved ones. At the same time, in 2005, we initiated this wonderful Passport program. Since that time, 2,100 individuals are receiving money. We invested \$27 million in annualized funding, which has supported more than 2,100—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary.

**Ms. Sylvia Jones:** Minister, your words do very little to comfort the families who have been waiting for action.

In Durham region, only five families receive support; 40 applications were put in. In Hamilton, 174 families

applied; six were successful. In London, 262 applied; 11 were successful. And so it goes across Ontario. Without assistance, young adults over the age of 21 with developmental disabilities are sitting on their couches instead of being involved and engaged in their communities. If direct funding truly is a choice for families, why have you not made Passports a priority for your government?

**Hon. Madeleine Meilleur:** This is an excellent question. I will say to the member of the opposite party that there are 2,100 fewer people sitting on the couch—

*Interruption.*

**The Speaker (Hon. Steve Peters):** I'd just remind our guests that you're certainly welcome to visit Queen's Park and to observe, but not participate in, the debate. Thank you very much.

Minister.

**Hon. Madeleine Meilleur:** First of all, let me say thank you to those who are taking care of these individuals. Let me say thank you to the parents who are looking while keeping their sons and daughters at home.

I will say to you that there are 2,100 fewer people who are sitting on the couch at home than when that government was in power. They cut social services and ODSP by 21%. This person who asked the question was working for the then leader of their party, so shame on you.

This government will continue to work to help you to get money. Every time we moved forward in proposing more money, they voted—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### ENERGY CONTRACTS

**Mr. Peter Tabuns:** My question is to the Minister of Energy. Minister, energy marketers all over Ontario are knocking on people's doors, telling them that unless they sign long-term contracts, they're going to deal with skyrocketing energy prices, pressuring them to sign contracts and not telling them what they're going to have to pay. When are you going to use the laws that you have in place to protect people in this province?

**Hon. Gerry Phillips:** I appreciate the question from the member. I would say to the public that you do need to be cautious in dealing with retailers. I've said to the member before, and to the public, that we have an organization called the Ontario Energy Board, an arm's-length, quasi-judicial body that has the responsibility of making sure that retailers operate ethically, legally and morally in the best interests of the consumer. They have that responsibility.

I will say to the member that I've met recently with them and they reviewed with me their processes. So I would say to the public, be very careful when you are dealing with a retailer. Make sure you understand the facts. If you have any problems, get in touch with the Ontario Energy Board. The member will know, and in the supplementary I'll have a chance to respond more



fully, that the Ontario Energy Board has some very strict rules in place for these retailers, and they must—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Peter Tabuns:** The simple reality is that the system is not working. Poor people, elderly people, people for whom English is not their first language are getting hammered. You have a responsibility. The buck stops with you. When are you going to hold the OEB to account and tell them that this government wants the public protected? When are you going to take responsibility?

**Hon. Gerry Phillips:** I do want the public protected, and the Ontario Energy Board has the responsibility for making that happen.

I would just say to all of us to remember a few things. You sign a contract, then the Ontario Energy Board insists that another body, another organization, call you. You are required to confirm to another body, another organization, that you've signed that contract, that you understood what you were signing, and the contract cannot go ahead until that other verification takes place.

We've also introduced the elimination of negative option billing, which some members of the Legislature have heard about. But they are not allowed to automatically renew a contract. I would say to the member that that has proven to be quite beneficial to consumers because, after five years or after the end of your contract, the organization has to come back to you and get you to re-sign it.

So there are in place some very good protections. I agree with the member that the Ontario Energy Board—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. New question.

### SCHOOL TRUSTEES

**Mr. David Zimmer:** My question is for the Minister of Education. Our government has made huge investments in publicly funded education. Our investment is critical to ensuring that Ontario prospers in the future. In these economic times, it is imperative that education dollars are focused on students. Since February there have been report after report about the spending habits of the Toronto Catholic District School Board trustees. My constituents, indeed constituents throughout Ontario, have been appalled by the actions of the Toronto Catholic school trustees. This seriously undermines public confidence in our school system. It is a distraction from our main goal of increasing student achievement.

I'm glad that our minister is taking actions to address this situation. But my question for the minister is: Why did you take the action now, and can you assure Ontarians that this situation will be cleared up quickly?

**Hon. Kathleen O. Wynne:** I've been very clear and our government has been clear—in fact, trustees around the province are clear that they won't tolerate anything that undermines public confidence in publicly funded education. While I have reason to believe that the vast

majority of school trustees around the province exercise wise and prudent decision-making, I still have some concerns about the Toronto Catholic board's practices. I remain concerned that, after the May 7 report of Mr. Hartmann was released, there was not action taken immediately. Given the seriousness of the board's practices and my concerns, I have asked for an investigator to go into the board. Significant change is needed now. I've therefore directed that investigators go into the Toronto Catholic board and report within a week to validate or to deny the concerns that I have, and then they will recommend whether to supervise or not.

1130

**Mr. David Zimmer:** There were media reports over the weekend that trustees have asked for a special board meeting where they will be looking at reopening their budget and developing a strategy to address a trustee code of conduct. I see that that they want the Minister of Education to wait until after this board meeting before making her decision. At the same time, we see reports that some trustees have requested immediate supervision. We have some trustees commenting in the media about who should shoulder the blame, trustees who are writing letters to the chief of police and trustees who are continuing to submit expenses despite having received the Hartmann report on May 7.

This is clearly a board in complete disarray. Why isn't the minister moving more quickly to take over this board? Why don't you just appoint a supervisor today?

*Interjections.*

**Hon. Kathleen O. Wynne:** It's interesting that members opposite make light of this. I do not take this lightly. I cannot legally appoint a supervisor without a formal investigation. Under the Education Act, I am required to send an investigator into the Toronto Catholic District School Board to look at the situation and make recommendations to me.

I repeat: I don't do this lightly. I have, and this government has, a deep respect for public school trustees, for Catholic school trustees, for trustees across the province. We believe in the institution of school boards, and we want this board to get on track. The chair of the school board has done a very good job in trying to pull together this board. It hasn't worked. There is still a fractious culture at the board. And the fact is that public dollars were being used for private advantage. That can't continue. That's why the investigator is there, and we're moving as quickly as we can to get this cleaned up.

### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mrs. Christine Elliott:** My question is for the Minister of Community and Social Services. Bill 77, Services for Persons with Developmental Disabilities Act, purports to provide individualized funding for people with special needs to allow them to live in our communities. We've heard already this morning that there's no new



money to allow those Passports and other programs to proceed.

But my question relates to how you expect these families to be able to develop these programs. Many of them are quite complex. They require specialized knowledge of these plans. The act provides that the application centres will simply provide families with information about direct funding, yet virtually all of the individualized plans to date that have been developed have required facilitation. My question is, how can you possibly expect families to develop these plans without assistance?

**Hon. Madeleine Meilleur:** That's an excellent question. That's why this new bill will make sure that all these services are in place. Right now, we don't know what the waiting list is because people have to go to different places to put their name on the waiting list, so there is a lot of anomaly in the present system. That's why we have introduced a new bill which will help parents navigate what is right now a complex process. This new process that we'll move forward with will help parents and those who have the care of these individuals with developmental disabilities to get the service they need according to their needs.

**Mrs. Christine Elliott:** There's absolutely no provision in the act for that kind of planning—none whatsoever. You've spoken about the need for individualized funding and the fact that these three regional centres are going to be closing. Minister, can you tell us how much money is going to be saved by these closures, first of all, and for the benefit of all the members of the Legislature too and all the families who've come to hear from you today whether you're prepared, or the government is prepared, to put all of the money that will be saved through the closure of those centres into the individualized programs for special needs people?

**Hon. Madeleine Meilleur:** Since this government came into power, we have invested more than \$200 million of new money to help this sector. We know that this sector needs more money, and we continue every year to listen to those who are working with individuals who have developmental disabilities, and the parents, to help them. This new bill will answer most of the concerns of these families and individuals. This government has always invested and will continue to invest in that sector.

It's a concern of mine that this question is being asked by the party where the only thing they did was to cut ODSP by 21% and then freeze ODSP afterwards. Every time we moved forward to add money to that sector, that party voted against it. We are going to continue—

**The Speaker (Hon. Steve Peters):** Thank you.

#### FIRE IN HAMILTON

**Ms. Andrea Horwath:** My question is for the Minister of the Environment. The fire marshal's report of the toxic fire at the Biedermann packaging plant in Hamilton says that firefighters were not aware that they were being exposed to cancer-causing pesticides and that the

Ministry of the Environment water-quality testing results are suspect because testing was not prompt enough. An inferno of toxic pesticides and a troubling fire marshal's report—Minister, what more does this government need to be brought to light to bring the inquiry into this fire to Hamilton today?

**Hon. John Gerretsen:** As I've indicated to this member on a number of occasions in the past, after the fire happened last year, the Ministry of the Environment immediately went into action, and took samples along the river bed there for the next two or three weeks. We found out after that two- or three-week period of time that the situation was back to the way it was before. We will continue to work with the city of Hamilton, we will continue to work with the fire department there and we will continue to work with the Office of the Fire Marshal to make sure that the situation is dealt with, but we, at this point in time, see absolutely no need for the kind of inquiry that this member is asking for. We feel that the situation is well in hand.

**Ms. Andrea Horwath:** I disagree wholeheartedly with the minister's characterization of whether or not a public inquiry into this affair is necessary. Ten months after the toxic blaze took place, my freedom-of-information request finally forced the fire marshal's report into the light of day. It confirms that firefighters did not know about pesticide contamination in the run-off that polluted the waterways, put people and pets at risk and killed thousands of fish. Hamilton is asking—and, I think justifiably so: When will there be a public inquiry, since it is very, very obvious to most of us that it is necessary?

**Hon. John Gerretsen:** This party is committed to bringing in a right-to-know piece of legislation as part of our toxic reduction law. We are absolutely committed to that. We will bring that forward soon. After that's been passed, in those cases, people will get a much better right to know immediately, which perhaps in this case they didn't get. We still feel that the situation was dealt with in a proper manner, and we want to make sure that this kind of situation does not occur again in the future.

#### RENT BANK PROGRAM

**Mr. David Oraziotti:** My question is for the Minister of Municipal Affairs and Housing. More than a week ago, the member for Hamilton Mountain raised the issue of rent bank funding. I believe all of us in this House have heard from service managers across the province who are concerned about having adequate financial resources to support families with their housing needs. From Toronto to Sault Ste. Marie, they are telling us that this valuable service that many Ontarians rely on has been struggling.

Minister, I know that you've made a commitment here in the Legislature and to service managers across Ontario, but they are not the only ones who need to know what is happening to ensure that the rent bank program continues. Most importantly, it's the families in need who want to know just how the Premier's announcement



of \$5 million in new funding will help them. Can you explain how this funding will help low-income tenants in my riding and across Ontario?

**Hon. Jim Watson:** I thank the honourable member for the question. We were very pleased when Premier McGuinty, just about two weeks ago in Ottawa, announced an increase in the rent bank from \$4.8 million to \$5 million, because we recognize that since the rent bank program came into effect a few years ago, it has prevented 13,200 evictions from taking place and \$7.7 million in shelter costs. In Sault Ste. Marie, the honourable member's riding, they will be receiving \$42,000. That's a total of \$242,000 since 2004.

In conclusion, let me quote from the Ottawa Sun when the Premier made the announcement. It said, "Brent Matthews didn't know what too to do."

He was out of work, behind on his rent, with a two-year-old son and a pregnant wife and his landlord was threatening eviction.

"Matthews got out of the bind with cash from the provincial government's rent bank program, which offers families in need two months' rent every two years...."

"It was like angels came down to help us."

That's why the rent bank program is in existence and why we support it.

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**Mr. David Oraziotti:** I want to thank the minister for his work with the program. It's great to know that our government is continuing with this program. The numbers you've referenced certainly show how beneficial it is to families across the province.

Concerned community members in my riding and across Ontario have had many of their concerns addressed by the announcement that the rent bank program will be continuing. However, we need a long-term vision for the program to operate it sustainably, and it needs annualized funding. Minister, can you tell us why the program has not been annualized, as requested by case managers and advocates? We need to know whether or not we will be able to continue to fund the rent bank program on an annual basis.

**Hon. Jim Watson:** That's a very good question. One of the issues that I am dealing with as the Minister of Municipal Affairs and Housing is to live up to a commitment that we made in our election platform to develop an affordable long-term housing strategy for the province. The rent bank is going to play a key role in that particular strategy.

We want to go out and consult members of the public—housing providers, tenants, landlords, the development industry, municipalities—and ask them for their input on how we can better the rent bank. We think the rent bank program is working extremely well. As I said, it's saved millions of dollars, and it's also saved the lives of people who have not been evicted as a result of having a difficult time, perhaps after losing a job.

The rent bank program is very much a cornerstone of our affordable housing strategy. We look forward to

hearing how we can improve the rent bank in the years ahead.

## TOURISM

**Mr. Ted Arnott:** My question is for the Premier. Today in Ontario, thousands of families are losing hope in the future. Coinciding with your government's lack of leadership, the cost of living is going up, taxes are going up and jobs are going away. The leader of the Ontario PC party, John Tory, has offered a plan to help our struggling tourism sector and boost our moribund economy.

Premier, do you agree that hard-working families deserve a break this summer, and will you eliminate the retail sales tax on accommodations and attractions for the summer months?

**Hon. Dalton McGuinty:** To the Minister of Tourism.

**Hon. Peter Fonseca:** I thank the member for the question. The Premier and this government are committed to a strong, sustainable and viable tourism industry. That's why we're working in lockstep with the sector to be able to address the complex challenges that are before it, like the high dollar, the high price of oil, passport requirements and the slumping US economy.

We have measures to address it in a plan. Unfortunately, the Leader of the Opposition and the Conservative Party have decided to be simplistic about this and, on the back of a napkin, have put together what does not address the sector in terms of the challenges that are before it. That's why the member and his party voted against the budget bill, which put \$92 million more into the—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary.

**Mr. Ted Arnott:** I can't believe that the Premier was unwilling to answer a simple question like that. Certainly, we've had overwhelming support from the tourism sector for our proposal. Removing the retail sales tax for our struggling tourism sector would go a long way to restoring confidence in our province. It would certainly do more than the kind of feel-good ad campaign that your government ran last year just before the election. Our plan would save the average family visiting Ontario more than \$100. For many of our residents, it means the difference between having a holiday at all or staying at home.

Why will the government not take this meaningful but affordable step to provide relief to Ontario's economy over the summer? When will Ontario families and the Ontario tourism industry become a priority for this government?

**Hon. Peter Fonseca:** To address that supplementary, I want to say that our plan is working. It's unfortunate that the Leader of the Opposition is so simplistic about this.

I wish that Mr. Tory had listened to his grade 8 teacher and done his homework, because when it comes to overnight stays from US visitors, while BC has seen a 7% decline and Quebec has seen a 5.8% decline, Ontario

has actually seen an increase in overnight visitors from the US.

In regard to our marketing and promotion campaign, *There's No Place Like This*, it has been widely acclaimed. We have taken that campaign into the US, into New York, Boston, Buffalo and Detroit—and it's having great benefit for our tourism sector.

### DOCTORS' SERVICES

**Mr. Gilles Bisson:** My question is to the Minister of Health: Minister, you'll know that the community of Hearst is devastated by the news that they're going to be losing three of their physicians, one of them to retirement and two leaving the community. My question to you is simply this: What is your ministry prepared to do and what steps are you taking to make sure that that community and area are going to continue to be serviced by doctors?

**Hon. George Smitherman:** I want to thank my honourable friend for his question. In the last four and a half years, 650,000 additional Ontarians have gained access to family physicians. We want to continue that progress and not see the setbacks to that in the community of Hearst. We'll be working with and expecting Dr. Joshua Tepper, assistant deputy minister, health human resources, to lend whatever assistance is possible to the community of Hearst.

We have 1,700 more doctors practising since 2002 and we have tremendous progress on enhancing the size of our medical school and more IMG training, and we need to make sure that that aggregate effect works well for the people of Hearst who are in uncertain times. I want to lend my assurance to the honourable member that I'll work alongside him and the leadership in the community with the leadership of my ministry to do what we can to address these pressing circumstances.

**Mr. Gilles Bisson:** Minister, all that is fine and good and will lead in the long term to some solutions. The problem that Hearst now has is that we don't have physicians in place to replace those who are going to be leaving, and the community wants to know, along with l'Hôpital Notre-Dame and the patients who are served by these doctors, what you are prepared to do when it comes to having incentives in place in order to attract physicians to take the place of those physicians who will be leaving.

**Hon. George Smitherman:** Most certainly associated with physician practice in northern Ontario is a range of incentives designed to attract physicians to communities exactly like Hearst. I want to make very, very clear to the honourable member that the attraction of physicians to any community is a shared responsibility. We have obligations to produce a sufficient supply and we're working very vigorously to enhance Ontario's supply. We've made good progress—650,000 more Ontarians are enjoying access to care—and we'll do all that we can to apply all the resources and pressure that we have to assist the good people of Hearst in the circumstances that they face now, which are obviously undermining confidence

in their health care services. We'll work alongside the honourable member and the community.

### VISITOR

**The Speaker (Hon. Steve Peters):** I would like all members to join me in welcoming a former member from the 30th through the 36th Parliaments: Bud Wildman, representative from Algoma. Welcome, Bud.

### PETITIONS

#### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Ms. Lisa MacLeod:** This petition is on behalf of my colleague from Whitby—Oshawa, who's done an awful lot of work for this. I promised her that I'd read it into the record.

"To the Legislative Assembly of Ontario:

"Whereas many young people with developmental special needs have no meaningful social, recreational or vocational opportunities after high school;

"Whereas many of these young people have no real options for living independently in the community;

"Whereas current supports in place are insufficient to meet the needs of these young people;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government allocate an appropriate level of funding to advance a transformation agenda of individualized funding for adults with developmental special needs in the province of Ontario to allow them to live with dignity and to reach their full potential as members of our communities."

I'd be remiss not to point out that the member from Dufferin—Caledon has been a very strong advocate in this chamber as well, so I join with her and the member from Whitby—Oshawa to sign this petition.

### RESPONSES TO PETITIONS

**Mr. Howard Hampton:** A point of order, Mr. Speaker:

On March 17, I presented a petition in this House, numbered P-49, regarding Hydro One Inc. and Schmidt Flowers Ltd. We have had no response from the government to date and it is now more than 36 sessional days since the petition was tabled. Because the standing orders state that the government is required to respond within 24 sessional days, I am seeking your assistance to have the government respond to petitions within the time limit that they are supposed to respond.

**The Speaker (Hon. Steve Peters):** That is a point of order. I have been informed that the response was due on 28 April. I just send the message to the government



House leader to speak to the appropriate minister and see that that petition is duly responded to.

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### PROTECTION FOR MINERS

**M<sup>me</sup> France Gélinas:** I have a petition from the people of Cartier.

"Whereas the current legislation contained in the Ontario health and safety act ... does not protect the lives of miners, we request revisions to the act;

"Lyle Everett Defoe and the scoop tram he was operating fell 150 feet down an open stope (July 23, 2007). Lyle was 25 years and 15 days old when he was killed at Xstrata Kidd Creek mine site, Timmins....

"The stope where Lyle was killed was protected by a length of orange plastic snow fence and a rope with a warning sign. These barriers would not have been visible if the bucket of the scoop tram was raised. Lyle's body was recovered from behind the scoop tram."

They ask the Legislative Assembly:

"Concrete berms must be mandatory to protect all open stopes and raises;

"All miners and contractors working underground must have working communication devices and personal locators;

"All equipment involved in injuries and fatalities must be recovered and examined unless such recovery would endanger the lives of others; and

"The entire act must be reviewed and amended to better protect underground workers."

I support this petition, will affix my name to it and send it with Kelvin.

### CHILD CUSTODY

**Mr. Kim Craitor:** I'm pleased to introduce this petition on behalf of my riding of Niagara Falls. It reads as follows:

"We, the people of Ontario, deserve and have the right to request an amendment to the Children's Law Reform Act to emphasize the importance of children's relationships with their parents and grandparents as requested in Bill 33....

"Whereas subsection 20(2.1) requires parents and others with custody of children to refrain from unreasonably placing obstacles to personal relations between the children and their grandparents; and

"Whereas subsection 24(2) contains a list of matters that a court must consider when determining the best interests of a child. The bill amends that subsection to include a specific reference to the importance of maintaining emotional ties between children and grandparents; and

"Whereas subsection 24(2.1) requires a court that is considering custody of or access to a child to give effect to the principle that a child should have as much contact with each parent and grandparent as is consistent with the best interests of the child; and

"Whereas subsection 24(2.2) requires a court that is considering custody of a child to take into consideration each applicant's willingness to facilitate as much contact between the child and each parent and grandparent as is consistent with the best interests of the child;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Children's Law Reform Act to emphasize the importance of children's relationships with their parents and grandparents."

I'm pleased to sign my signature in support of this and give it to page Radhika to take down to the Speaker.

### LORD'S PRAYER

**Mr. Jim Wilson:** I want to thank St. Peter's Anglican Church in Minesing for sending this petition to me.

"Whereas Premier Dalton McGuinty has called on the Ontario Legislature to consider removing the Lord's Prayer from its daily proceedings; and

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe; and

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"We, the undersigned, petition the Legislative Assembly of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

I agree with this petition and I will sign it.

### CAR CULTURE

**Mr. Rosario Marchese:** "To the Legislative Assembly of Ontario:

"Whereas car culture has destroyed and alienated our communities and dominated our public space;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We demand that not one more dollar go to promote, support or perpetuate car culture in Ontario."

I submit this on behalf of thousands of people in Ontario.

### PROPERTY TAXATION

**Mr. Bill Mauro:** I have a petition addressed to the Legislative Assembly of Ontario which reads as follows:

"Whereas the government is formulating the basis for provincial land tax reform; and

"Whereas the residents in unincorporated areas throughout the province have access to widely varied and usually very limited services at their properties; and

"Whereas many of the affected property owners are seasonal users of their properties; and

"Whereas many of these property owners already pay property taxes in an organized municipality; and

"Whereas many of these property owners already pay a roads board tax and/or education tax;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to hold public consultations in Thunder Bay at the earliest opportunity to ensure that provincial land tax reforms are applied fairly to the assessed properties."

I agree with this petition and will affix my signature to it.

#### WYE MARSH WILDLIFE CENTRE

**Mr. Garfield Dunlop:** I have another petition here from about 1,000 people on the Wye Marsh Wildlife Centre.

"To the Legislative Assembly of Ontario:

"Whereas the Wye Marsh Wildlife Centre, located in the township of Tay, manages approximately 3,000 acres of environmentally sensitive land which is owned by the province of Ontario; and

"Whereas over 50,000 people visit the Wye Marsh Wildlife Centre each year; and

"Whereas over 20,000 students from across Ontario visit the Wye Marsh Wildlife Centre each year, receiving curriculum-based environmental education not available in schools; and

"Whereas the Wye Marsh Wildlife Centre receives no stable funding from any level of government;

"We, the undersigned, petition the province of Ontario to establish a reasonable and stable long-term funding formula so that the Wye Marsh Wildlife Centre can continue to operate and exist into the future."

I'm pleased to sign this and give it to Dina to send to the table.

#### COMMUNITY COLLEGES COLLECTIVE BARGAINING

**Mr. Rosario Marchese:** "Whereas part-time college workers in Ontario have been waiting for 30 years for bargaining rights; and

"Whereas thousands of part-time college workers have signed OPSEU cards, and the Ontario Labour Relations Board failed to order a timely representation vote; and

"Whereas the Ontario government must immediately make good on its promise to extend bargaining rights to college part-timers;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The McGuinty government must immediately pass legislation legalizing the rights of college part-timers to organize, and direct the colleges to immediately recognize OPSEU as the bargaining agent for part-time college workers."

I am signing this petition in support of all of it.

#### HOSPITAL FUNDING

**Mr. Charles Sousa:** "To the Legislative Assembly of Ontario:

"Whereas the Central East local health integration network ... board of directors has approved the Rouge Valley Health System's deficit elimination plan, subject to public meetings; and

"Whereas, despite the significant expansion of the Ajax-Pickering hospital ... this plan now calls for the ill-advised transfer of 20 mental health unit beds from Ajax-Pickering hospital to the Centenary health centre in Scarborough; and

"Whereas one of the factors for the successful treatment of patients in the mental health unit is support from family and friends, and the distance to Centenary health centre would negatively impact on the quality care for residents of Ajax and Pickering; and

"Whereas it is also imperative for Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding;

"We, the undersigned, therefore petition the Legislative Assembly of Ontario as follows:

"That the Rouge Valley Health System continue to provide the current level of service to our Ajax-Pickering hospital, which now serves the fastest-growing communities of west Durham; and

"That the Ajax-Pickering hospital retain the badly needed 20-bed mental health unit."

I'll sign this and give it to Radhika.

#### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Ms. Sylvia Jones:** I have a petition to the Legislative Assembly of Ontario.

"Whereas many young people with developmental special needs have no meaningful social, recreational or vocational opportunities after high school; and

"Whereas many of these young people have no real options for living independently in the community; and

"Whereas current supports in place are insufficient to meet the needs of these young people;

"We, the undersigned, petition the Legislative Assembly as follows:

"That the McGuinty government allocate an appropriate level of funding to advance the transformation agenda of individualized funding for adults with developmental special needs in the province of Ontario to allow them to live with dignity and to reach their full potential as members of our community."

I fully support this petition and will be giving it to page Dina.

#### HOSPITAL FUNDING

**Mr. Bob Delaney:** I have a petition to the Ontario Legislative Assembly, and I'd like to thank Dr. Thomas



Short for having sent this to me. It's signed by a number of patients from his office and it reads as follows:

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I'm pleased to sign and support this petition and ask page Chris to carry it for me.

#### LORD'S PRAYER

**Mr. Garfield Dunlop:** "To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its place at the beginning of daily proceedings in the Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message is one of forgiveness, of providing for those in need of their 'daily bread' and of preserving us from the evils that we may fall into; it is a valuable guide and lesson for a chamber that is too often an arena for conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I'm pleased to sign this and present it to Dina again to give to the table.

#### HOSPITAL FUNDING

**Mr. Joe Dickson:** A petition to the Legislative Assembly of Ontario:

"Whereas the Central East local health integration network (CE-LHIN) board of directors has approved the Rouge Valley Health System's deficit elimination plan, subject to public meetings; and

"Whereas, despite the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a project that could reach \$100 million, of which 90% is funded by the Ontario government, this plan now calls for the ill-advised transfer of 20 mental health unit beds from Ajax-Pickering hospital to the Centenary health centre in Scarborough; and

"Whereas one of the factors for the successful treatment of patients in the mental health unit is support from family and friends, and the distance to Centenary health centre would negatively impact on the quality care for residents of Ajax and Pickering; and

"Whereas it is also imperative for Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding;

"We, the undersigned, therefore, petition the Legislative Assembly of Ontario as follows:

"That the Rouge Valley Health System continue to provide the current level of service to our Ajax-Pickering hospital, which now serves the fastest-growing communities of west Durham; and

"That the Ajax-Pickering hospital retain the badly needed 20-bed mental health unit."

I will affix my signature and ask—

**The Speaker (Hon. Steve Peters):** Thank you.

#### LORD'S PRAYER

**Mr. Garfield Dunlop:** "To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its place at the beginning of daily proceedings in the Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message is one of forgiveness, of providing for those in need of their 'daily bread' and of preserving us from the evils that we may fall into; it is a valuable guide and lesson for a chamber that is too often an arena for conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I'm pleased to sign that and give it to Dina once again to provide to the table.

#### FIREARMS CONTROL

**Mr. Mike Colle:** "To the Legislative Assembly of Ontario:

"Whereas the growing number of unlawful firearms in motor vehicles is threatening innocent citizens and our police officers;

"Whereas a growing number of unlawful firearms are transported, smuggled and being found in motor vehicles; and

"Whereas impounding motor vehicles and suspending driver's licences of persons possessing unlawful firearms would aid the police in their efforts to make our streets safer;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 56, entitled the Unlawful Firearms in Vehicles Act, 2008, into law, so that we can reduce the number of crimes involving firearms in our communities."

I fully support this petition, which comes from the members of the Glen Long bocce club in the riding of Eglinton-Lawrence. I support the petition and affix my name to it.

**The Speaker (Hon. Steve Peters):** The time for petitions has expired. This House stands recessed until 1 o'clock.

*The House recessed from 1204 to 1300.*

## MEMBERS' STATEMENTS

### D. AUBREY MOODIE

**Ms. Lisa MacLeod:** D. Aubrey Moodie was a cherished son of Carleton county who would later become the father of Nepean. As a young farmer, Aubrey brought Nepean back from near-extinction in the 1950s after annexation with Ottawa, which decreased our population from 24,000 to roughly 2,000 people.

Aubrey's hard work, vision and strong conservative principles revived our community, and Nepean flourished under his watch. By the time he ended his tenure as Nepean reeve, Aubrey had steadily grown our community from 2,000 to 6,000 people. There is little wonder why the voters elected Aubrey an unprecedented three times. He was the only reeve in Carleton county's 127-year history to serve that long.

Aubrey built a community whose fire, police, sewer and other township services were the envy of Carlton county and of Ottawa. He built the foundation for our two greatest community assets, the Queensway Carleton Hospital and Algonquin College. As one of my mentors, Bill Tupper, our former MP, pointed out when he eulogized his mentor last week, Aubrey was "one of the greatest municipal success stories of our time."

Personally, I am deeply saddened, as are all of the residents of Nepean. He was someone who, along with Dr. Tupper, provided me with a lot of advice and encouragement throughout my career. The residents of Nepean-Carleton are grateful for Aubrey's century of service to our community. He died two months short of his 100th birthday.

He lived by the example my father taught me, which was reflected upon by Dr. Tupper: "He left his com-

munity better and stronger than he found it. What more could we have asked for or expected from him?"

## SENTENCING

**Mr. Peter Kormos:** Folks in St. Catharines are rallying at the provincial courthouse on Wednesday, May 28, starting at 11:30 a.m. through to 1:30 in the afternoon. What they're doing there is expressing their outrage, their indignation and their sadness at the fact that the killer of Stephine Beck—why, it was just a year and a few months ago that Wayne Ryczak killed Stephine Beck and left her half-naked body on a rural road. When he pleaded guilty earlier this month to manslaughter, he was sentenced to one day in jail.

You see, Stephine Beck was a sex-trade worker, a prostitute, a whore, but she was also a young woman with a family, with friends, whose life has as much value as anyone else's. The one-day sentence for manslaughter was two years less—because the defence counsel himself proposed a sentence of two years less a day for the accused. The judge reduced the defence counsel's request to one day in jail.

I have written to the Attorney General calling upon him to examine this file with a view to appealing it. I think it's imperative that the Court of Appeal be handed this scenario to determine whether or not it's a fit sentence, because, I tell you, the folks in St. Catharines sure as heck don't think so.

## LIONS CLUB OF RICHMOND HILL

**Mr. Reza Moridi:** Several weeks ago, I had the pleasure of attending the 70th anniversary of the charter of the Lions Club of Richmond Hill. Volunteer members of this club have been serving Richmond Hill for well over 70 years. In 1963, the Lions of Richmond Hill raised a large sum of money to start the York Central Hospital.

So it's truly an honour for me to present to the House today the following Lions: Ted Mansbridge, founding charter member with over 70 years of service—Ted is 104 years young and is unable to join us today, but his daughter, Elinor Mansbridge, is here on his behalf; George Chassie, a 50-year member; Doug Graham, 45 years; Grant Marshall, 44 years; Marion Tait, six years; Jean Green, six years; Carol Anne Betts, three years; and Bertha Hurdman, six months. I also wish to acknowledge the current president, Allan Betts, who is not here today.

The province of Ontario is a better place for the efforts of volunteers such as the Lions of Richmond Hill.

**The Speaker (Hon. Steve Peters):** Welcome to those guests.

## PROTECTIVE SERVICES APPRECIATION BARBECUE

**Mr. Garfield Dunlop:** On Sunday, May 25, I was honoured to co-host, along with my federal counterpart,



Simcoe North MP Bruce Stanton, our first annual protective services appreciation barbecue. Approximately 250 of our constituents, along with their families, who are employed or volunteer in police and fire services, as paramedics or in the military joined Bruce and me and our families for an afternoon of appreciation and fun.

At the same time, approximately 25 other ridings across Canada held similar protective services appreciation barbecues and events. I understand that Simcoe North was the only Ontario riding involved in this event this year. We in Simcoe North plan on making this an annual event, to be held on the last Sunday in May each year. We also hope to inspire other Ontario ridings to join in next year as well.

I'd also like to thank all the municipalities that allowed their emergency services vehicles to be used for display purposes at the event. In particular, I want to thank OPP Commissioner Julian Fantino, who joined us for this event. It was great that he could come up. He took three or four hours out of a very busy schedule to be with a lot of his OPP officers, his colleagues and a lot of our fire service workers, paramedics and some people from the military.

I just want to say that it's great to take part in an event like this, but I really want to thank all those people who work in emergency services, who make our lives in Ontario safer and our province a better place to live in.

#### POLICE OFFICERS

**Ms. Sophia Aggelonitis:** On Friday, May 16, I had the opportunity to participate in a ride, along with Hamilton police division 30. The police officers on Hamilton Mountain are true heroes. They are extremely professional and diligent, and team players.

I was able to see what a day in the life of a Hamilton police officer was really like. I rode in a car with the officers from about 7 p.m. until 5 in the morning, and I can tell you their work is never-ending. We were constantly on the go, moving from one scene to another. The whole time, the officers were calm and collected. They were efficient and, no matter the situation, they were always in control.

I'd like to personally thank Officers Hamilton and Gallant for allowing me to ride with them, and also Superintendent Ken Bond, Senior Sergeant Dominic Palmieri and, of course, our police chief, Brian Mullen, for all their hard work and dedication to keeping Hamilton safe. These men and women are keeping our streets safe. As a Hamilton Mountain resident, I feel safe and confident in the outstanding work our officers do.

#### SEXUAL REASSIGNMENT SURGERY

**Mr. Peter Shurman:** Just prior to the Legislature's break for constituency week, Health Minister George Smitherman made a surprise announcement—surprising, apparently, even to his own Liberal caucus colleagues. The announcement was that the Liberal government

would begin using taxpayer money to fund sex change surgery. This is also surprising, given that this is the same Liberal government that stopped funding for eye exams, physiotherapy and chiropractic care, and the same Premier who in 2004 said that funding for sex change surgery was not a priority.

There's no doubt that for transgendered individuals this is positive. We in the PC Party understand and respect that view. However, given the economic challenges facing this province and my constituency of Thornhill, it is more than legitimate to question this Liberal government's priorities for the use of increasingly scarce health care dollars, given the range of pressures in health care. Here are just a few: With over 207,000 manufacturing jobs lost since 2004, hard-pressed families and single moms are forced to pay out of pocket for eye exams, chiropractic care and physiotherapy; long-term-care residents are sitting in their own waste for hours without care; try to get a PET scan in Ontario; approximately a million Ontarians are still without a family doctor; waiting lists for an initial consultation with an orthopaedic surgeon can be up to two years—and on and on.

The people of this province deserve an explanation of exactly how sex change surgery rose to the top of the health care priority list. Who made this decision and why?

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#### GUELPH-WELLINGTON WOMEN IN CRISIS

**Mrs. Liz Sandals:** I'm pleased to rise today to speak about Guelph-Wellington Women in Crisis. Women in Crisis works towards ending violence against women and children by providing counselling to victims of all forms of abuse, as well as providing transitional shelter for those who have fled their homes.

Currently, all counselling services and the crisis hotline are run out of their very crowded office on Norwich Street in Guelph. Earlier this month, Executive Director Sly Castaldi and I had the pleasure of welcoming the Minister of Community and Social Services, Madeleine Meilleur, to tour the current Women in Crisis site. Minister Meilleur and I were thrilled to announce that Guelph-Wellington Women in Crisis will soon be moving to a new home. The province is giving them \$802,000, which will enable them to move to a larger, more accessible building. The new building will allow the agency to serve more women, especially women with disabilities or women whose children have a disability. Not only will this new funding make the building more accessible, but a new, larger building will provide more space for staff, better group meeting and counselling rooms and a bigger warehouse area for donated furniture and supplies.

Guelph-Wellington Women in Crisis has a long record of providing exemplary service. I am pleased that this capital grant will enable Women in Crisis to expand their

support services to women who are victims of domestic violence and sexual assault.

#### LEADER OF THE OPPOSITION

**Mr. Kevin Daniel Flynn:** Last week, the travelling leader of the PC Party made an appearance here at Queen's Park and announced his party's summer tourism strategy.

Ontarians were very confused by his words. He's the leader of a party that has repeatedly stood up in the Legislature to vote against this government's initiatives that ensure that our tourism industry remains strong. Just two weeks ago, his own caucus voted against the budget bill, which included initiatives and tax measures totalling \$92 million for the tourism industry.

Our government doesn't believe in a band-aid strategy like the one proposed by the leader of the Conservative Party. We know that when the economy is facing challenges, with a high dollar and the high price of gas, it's important to invest in more tourism initiatives, such as \$10 million for festivals and events, so that not only can Ontarians enjoy events across the province, they can enjoy even more events right here in their hometown.

This government knows that the people who know best about tourism are the tourism sector itself. We will take our advice from them in order to ensure long-term success of the tourism sector in Ontario. We're listening to our tourism partners. They asked for a competitive study for the industry, and we're delivering on that.

I'm very proud of the initiatives taken by this government in regard to tourism. I can't say that for the other side.

#### ONTARIO CHILD BENEFIT

**Mrs. Carol Mitchell:** I rise in the House today to speak to the Ontario child benefit. The \$2.1-billion investment is going to reach 1.3 million Ontario children and 600,000 low-income families.

I know that many families in my riding of Huron-Bruce welcome the Ontario child benefit, and I'm very pleased that this government can provide assistance to those hard-working families and make things a little bit easier for them.

In July of this year, eligible parents will begin to receive the Ontario child benefit, with up to \$600 per year per child this year and increasing to \$1,100 per year per child when fully implemented. The great thing about this is that eligible families simply need to ensure that they have filed their taxes and registered for the Canada child tax benefit.

I'd like to emphasize a couple of things for my colleagues across the floor. In addition to receiving the Ontario child benefit, Ontario families will also receive the full national child benefit supplement.

We're going much further than just ending the clawback. We're also extending support to low-income working families. Not only that; a single parent on social

assistance with two kids will be 27% better off this year since we took office and 34% better off once the OCB is fully implemented.

That is an investment in Ontario families and, in particular, it's an investment in Ontario's children—

**The Speaker (Hon. Steve Peters):** Thank you.

#### ANNUAL REPORT, INFORMATION AND PRIVACY COMMISSIONER

**The Speaker (Hon. Steve Peters):** I beg to inform the House that on May 21, 2008, the 2007 annual report of the Information and Privacy Commissioner was tabled.

#### INTRODUCTION OF BILLS

##### ALGOMA UNIVERSITY ACT, 2008

##### LOI DE 2008 SUR L'UNIVERSITÉ ALGOMA

Mr. Milloy moved first reading of the following bill:

Bill 80, An Act to establish Algoma University and to dissolve Algoma University College / Projet de loi 80, Loi portant création de l'Université Algoma et dissolution de l'Algoma University College.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Hon. John Milloy:** During ministerial statements, Mr. Speaker.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### ALGOMA UNIVERSITY COLLEGE

**Hon. John Milloy:** In the coming weeks, thousands of students across Ontario will celebrate one of the greatest achievements of their lives. At a ceremony in front of proud family and friends, they will receive their post-secondary degree, certificate or diploma. That special moment will cap off years of hard work and dedication. But it does not bring an end to their journey; rather, it marks an exciting new beginning.

These smart and talented graduates hold the promise of Ontario's future. They are the entrepreneurs who will build tomorrow's knowledge economy, they are the dreamers who will tackle the world's toughest problems, and they are the innovators who will turn exciting new ideas into things that have the power to change our lives.

Our government is committed to making sure that every young person in our province is able to reach their full potential so that we can harness their skills and knowledge to strengthen our province and improve the



lives of all Ontario families. So today we're taking an important step forward in our efforts to help more young people pursue their dreams. We're introducing legislation that, if passed, would establish a new university in northern Ontario.

For more than 40 years, Algoma University College in Sault Ste. Marie has operated as an affiliate college of Laurentian University in Sudbury. Algoma gives students in the north a wonderful opportunity to pursue higher education and stay close to home. Students can choose from over 30 undergraduate programs in areas ranging from finance and economics to fine arts and information technology.

Algoma also has very strong ties to First Nations people in the north. More than 20% of Algoma's students are aboriginal, and the school offers a BA in Ojibway, the only one of its kind.

Algoma's high-quality programs and commitment to the community have produced great results. Over the past 10 years, Algoma's enrolment has grown by 73%.

Before going any further, I'd like to acknowledge Algoma's president, Dr. Celia Ross, and the chair of their board of governors, Bud Wildman. Both, along with a large delegation from Algoma, have joined us here today in the Legislature to mark what must be a very fulfilling moment for them. I congratulate them and all their colleagues on the outstanding work that they have done for students in the north.

I would also like to acknowledge the hard work and leadership of my colleague David Oraziotti, MPP for Sault Ste. Marie. He has been a strong advocate for both his community and this institution and deserves a tremendous amount of credit for the introduction of this legislation. In fact, he was reminding me that he was actually a member of the board of governors of Algoma and served on one of the subcommittees that were working toward independence. His association goes back many years.

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We want to help Algoma welcome even more students through its doors. That is why we are introducing this important legislation today. If passed, this legislation would enable Algoma to become an independent university with the ability to grant its own degrees. This means it will not only be able to attract more students, but it will also be able to attract more jobs and investment to the community. Investing in people in the north and across Ontario is one of the core pillars of our government's economic plan. After all, our people are our greatest asset, and by investing in their knowledge and skills, we can continue to attract the kinds of jobs and investment that will keep our province and our people moving forward. We know that it is only when our people are at their best that Ontario can be at its best.

That's why we are making an unprecedented investment in post-secondary education and training through our \$6.2-billion Reaching Higher plan. We've been getting results. Today, 100,000 more students are attending colleges and universities compared to five years ago. About 60% of Ontarians aged 25 to 64 have completed a

post-secondary certificate, diploma or university degree program. That is one of the highest rates of post-secondary education in any country in the Organisation for Economic Co-operation and Development. About 110,000 apprentices are learning a trade today, nearly 50,000 more than five years ago.

But we know that there's more to do. Our government remains committed to developing Ontario's post-secondary education system into truly the envy of the world. Accomplishing this will ensure Ontario's place in the future.

**The Speaker (Hon. Steve Peters):** Responses.

**Mr. Jim Wilson:** I'm very pleased on this historic occasion to rise and congratulate Algoma University College, which will soon become Algoma University. It is an historic day. I met with Mr. Bud Wildman, alongside of whom I had the pleasure of serving in this House for about five years, beginning in 1990. He's chair of the board of governors. I also met with Dr. Celia Ross, the current president of the university, and who I know will be the future and the first president of Algoma University. I met with them a couple of weeks ago and assured them that the PC Party and John Tory would give full support to this bill. I'm happy about that.

I served on the board of governors at U of T, and one of my first elected positions was president of the student council at U of T. I think of how difficult it must be under the current arrangement—which is almost a condominium arrangement with Laurentian University, although they get along very well—for the current university to have loyal alumni. The certificate that you get to put on the wall when you graduate, even though you might have gone to Algoma for three or four years, actually says Laurentian right now. But that will change in the future. They'll be able to build up more alumni and good people like Mr. Wildman, who has been chair for about eight or nine years. He has a very good reputation and has done an excellent job. Congratulations to you, the faculty and the board of governors.

I want to say, because the minister bragged again about funding of universities, that we do have a chronic funding shortfall at universities, which I've mentioned many times. You got 311 million in new dollars from the federal government this year. If this were questions and answers, I would ask, "What did you do with it?" On that: In 1999, then-opposition leader McGuinty not only said he would bring university funding in Ontario on per capita basis to the average of Canada, but we're now dead last on per capita funding. We're 10 out of 10 behind the entire pack. Mr. McGuinty at that time not only verbally promised that; he signed a great, big pledge card. I held up here a few weeks ago the newspaper photo of him saying that he would do that during his first term in office. Well, your first term is over with.

Secondly, the Ontario council of faculty associations—I've raised this several times in the House—mentions that we're short 5,500 faculty right now. That's a real shame. There's no use bragging, as the minister does from time to time, about the high enrolments we have. We have people sitting in classrooms across the



street, at Convocation Hall, with 1,100 students in a political science class. That's unacceptable.

So congratulations for bringing this forward. We'll give you our full support. It's an historic day. But all this bragging about \$6.2 billion—I heard Mr. Sorbara say that when he was finance minister, and he always said it in the past tense: "We've spent \$6.2 billion." You're only halfway through that program. There's no guarantee that you'll actually spend all that money. Again, you have \$311 million extra this year, and the universities didn't see that.

For all those who are watching in Sault Ste. Marie, as a former Minister of Northern Development, I know this will be good for the north, and the minister mentioned that. It'll be great in terms of the aboriginal programs and the special programs that they do have, and it'll be great for education and culture right across northern Ontario, Ontario itself and Canada. Congratulations, Algoma U.

**Mr. Rosario Marchese:** I too want to congratulate the chair of the board of governors, Bud, who is a former colleague and someone we respect a great deal, and respected a great deal, in terms of the work that he has done. I want to congratulate the president, Dr. Ross, as well, but in particular, the entire administration for all of the work that they have done in the process of transforming themselves from Algoma University College to a university of distinction—

**Interjection:** What about David?

**Mr. Rosario Marchese:** You've already congratulated your own.

I want to focus on the process and what the administration has done over the years with the faculty and with the support of the students, in terms of the outreach they have done in the community, because that is an important part of the work that they have done. This work of establishing partnerships has been evidenced as it relates to forestry, to northern medical schools and the First Nations communities.

Speaking of First Nations, this is where I want to take the time to be able to say congratulations to the administration for the work you have done with First Nations, for the work you have done in collaboration with and in consultation with First Nations. That is an example of how you, the government, should work with First Nations. This is an example of something that has happened that I wanted to praise. Part of this has to do with governance. There are First Nation programs at many universities and colleges, but this is one of the first where governance of programming relates and connects to First Nations as a people. For that, I congratulate and praise them for that particular work.

They now have the job of recruiting students from all over Ontario, Canada and beyond. That, I'm sure, will be a challenge for the university, but because of the uniqueness of the program, I am convinced that they will attract students from all over Canada.

This is not the time today to debate what the government has not done in the university sector. I will take the opportunity to do that another time, which I love to do, as

you know. But the administration doesn't need to hear this today; they will at another time.

We haven't had a chance to read the bill. We will discuss it tomorrow as a caucus. But in principle, I am very supportive of the bill. We will give speedy passage to this bill this week, if the government is prepared and others are prepared. We want to look at the bill, and perhaps even a short 10 or 15 minutes to acknowledge people and to allow other members from the north to be able to speak to this bill would do it. But beyond that, we're quite happy to give speedy passage to the bill.

1330

## ORDERS OF THE DAY

### SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES ACT, 2008

#### LOI DE 2008 SUR LES SERVICES AUX PERSONNES AYANT UNE DÉFICIENCE INTELLECTUELLE

Mrs. Meilleur moved second reading of the following bill:

Bill 77, An Act to provide services to persons with developmental disabilities, to repeal the Developmental Services Act and to amend certain other statutes / *Projet de loi 77, Loi visant à prévoir des services pour les personnes ayant une déficience intellectuelle, à abroger la Loi sur les services aux personnes ayant une déficience intellectuelle et à modifier d'autres lois.*

**The Speaker (Hon. Steve Peters):** Debate?

**Hon. Madeleine Meilleur:** Please note that I will be sharing my time with my parliamentary assistant, the MPP from London—Fanshawe.

I rise in the House today in support of our government's new legislation that would improve the lives of people with developmental disabilities in Ontario. I was extremely proud to introduce this proposed legislation recently. It is the combination of a great deal of work, and I would not be here today without the unprecedented degree of co-operation we have received from our developmental services partners and their valuable input and insight. Individuals, families, agencies and government—we have all come together. Working hand in hand, we have begun the groundwork needed to transform how we deliver services and supports.

The proposed Services for Persons with Developmental Disabilities Act, 2008, is legislation for a modern system of supports and services for people with developmental disabilities. We need to update our developmental services legislation. The previous legislation was created at a time when we placed many individuals with developmental disabilities in provincially run institutions.

Nous devons actualiser notre Loi sur les services aux personnes ayant une déficience intellectuelle. La loi actuelle a été créée à une époque où on plaçait plusieurs



personnes atteintes d'une déficience intellectuelle dans les établissements gouvernementaux.

When our government came to office in 2003, we knew we had to change many things. The closure of the three remaining facilities was something that was started by the Peterson government in the 1980s. It was the McGuinty government's job to ensure that the last of the residents living there moved into the community with as little disruption as possible. It was a monumental task. We worked with our developmental services partners to hear their thoughts on how we could best accomplish this, and we worked with the staff at the facilities, not only to place the residents in community jobs where possible, but also to ease their transition to community life. I am happy to say that many families who were initially concerned about the change are often the first to tell us that it was the right thing to do.

Je suis heureuse de pouvoir dire que les familles qui étaient réfractaires de prime abord à ce changement ont été nombreuses à reconnaître d'emblée que c'était la chose à faire.

I wouldn't want to go any further without first telling you how far we have come. I recently attended an exhibit at the Royal Ontario Museum that documented life in the institutions and how people with developmental disabilities were supported there. It is important for us to remember that people believed at that time that putting a family member with a disability into an institution was the best thing for them, and that they would flourish in a secluded rural environment, away from the stress and commotion of everyday life. But what we must also remember is that sometimes the commotion of everyday life is just as healthy as the tranquility of a remote hideaway, that everyone is different and that we need to offer a client the lifestyle that best suits him or her, because we know now that each and every one of us contributes to the life and the character of our communities, and together we are stronger. Each of us, no matter our strengths or abilities, has a role to play. Each of us deserves respect and deserves to be treated according to our abilities, not our disabilities.

This past fall, I had the pleasure of hearing Lieutenant Governor David Onley speak at the Canadian Club of Toronto, where he said: "What is needed is a change of attitude to people with disabilities. What is needed is the realization that disability does not mean inability ... that living with a disability does not mean an individual cannot also enjoy a productive and satisfying career." This legislation recognizes that people with disabilities can enjoy a productive career, a fuller life, and can contribute to their community. Our job is to support them and encourage them every step of the way.

Today, we have many success stories of individuals who have moved into the community. There is a woman who had lived at the Huronia Regional Centre since she was seven years old. Now, 43 years later, she lives in a condominium in downtown Toronto with a roommate and shares in community life. There is a man who had lived at the South West Regional Centre his entire life,

and he now has a part-time job in Essex. There is a man who used to live at the Rideau Regional Centre for 30 years. He's enjoying life in the community, spending time with his new housemates, going to his local coffee shop and doing his banking and grocery shopping.

I even had the pleasure of meeting a woman just last week who was deaf-blind and had lived at the Rideau Regional Centre most of her life. When she left the facility in 1999, she only knew a few hand signs and had difficulty communicating with others. Today, not only does she live with friends in her community and cook for herself, but she is fluent in American Sign Language and has a job with Canada Post. She lives independently, with support, but most importantly with dignity and a sense of purpose.

Ces expériences ne pouvaient simplement pas être vécues dans un établissement.

We are in a new era of community inclusion that embraces people with a developmental disability. Thousands of people with a developmental disability are leading remarkably full lives. They go shopping, to the theatre and to restaurants. They go out with their friends, take courses at community colleges, complete job placements and get jobs. Like other citizens, they are giving back to their community and enjoying a greater sense of belonging. We are all richer for their contributions.

We need new legislation that is in tune with the times, legislation that helps people to reach their goals and their dreams, that gives them more choice and flexibility in the supports they receive and encourages independence.

Nous avons besoin d'une nouvelle loi qui soit en harmonie avec son temps, une loi qui aide les gens à atteindre leurs buts et à réaliser leurs rêves, qui leur donne plus de choix et plus de latitude pour obtenir du soutien et qui encourage l'autonomie.

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Our proposed legislation takes the next big step in building on the groundwork we have begun for our long-term plan for developmental services. This proposed bill demonstrates that we are a government of action, not just words—the kind of action that's going to make a real difference in the lives of people with developmental disabilities and their families.

Our proposed legislation, if passed, would replace the existing Developmental Services Act. That act is now outdated. It speaks to a time when we supported people in institutions, not in communities. We need legislation that recognizes that people with developmental disabilities can live much more independently in their communities with the right supports. We need legislation that recognizes that people want more choice in the services and supports they receive. Our proposed legislation acknowledges those needs.

Nowhere is the need for modernization greater than in developmental services. Community agencies are the backbone of our developmental services system and they will continue to play a central role. But we heard loud and clear from people with developmental disabilities, their families and community agencies that the system of



support needs to be easier to navigate. People need services and supports closer to their home. They need more choice and flexibility in the supports they receive.

We committed to address these issues. We launched a major review to make the system more fair, accessible and sustainable. We announced the closure of the province's three remaining facilities for people with developmental disabilities by the end of March 2009. We committed to developing a comprehensive plan for the future, one that would lead us through the next 25 years and beyond.

Our proposed legislation would put into motion the framework for that plan. It would reinforce our commitment to transforming the system into one that is based on citizenship, fairness, accessibility, accountability and sustainability.

Notre projet de loi renforcerait notre engagement à transformer les services aux personnes ayant une déficience intellectuelle pour en faire un système basé sur la citoyenneté, l'équité, l'accessibilité, la responsabilisation et la durabilité.

It would give us a solid foundation on which to modernize our system of developmental services over the coming years.

This is a bill with families in mind. It responds directly to what families and people with developmental disabilities have told us through our province-wide consultations and builds on that advice. If passed, it will help us improve service, because people would only have to go to one place to apply for service; improve choice, because people could receive funding directly to tailor supports to their needs; and improve fairness, because everyone would use the same application and assessment package. People who need support the most would have priority.

These are things that people with developmental disabilities and their families want. But we cannot do it without putting the right legislative framework in place first. That's what this bill is all about. It is the critical next step in the evolution of services for people with developmental disabilities in this province.

C'est la prochaine étape cruciale de l'évolution des services pour les citoyens de notre province qui ont une déficience intellectuelle.

This province has come so far since 1974, when the current Developmental Services Act became law, but we have so much further to go and we are committed to the journey.

As Catherine Frazee, co-director of the Ryerson-RBC institute for disability studies, once said, "We remember that what we have built here, we have built together across great difference. We remember that there is more to build tomorrow."

With the passage of this bill, we can really move forward and begin to build an even brighter future for Ontarians with a developmental disability. I call upon members of this House to join me to pass this proposed legislation, because it will make a difference in the lives of people with disabilities, their families and our com-

munity partners, who provide such a high level of care and compassion.

If this bill is passed, we will be able to look back and say, "We took a giant step forward in building stronger, more inclusive communities for all Ontarians."

Si ce projet de loi est adopté, nous pourrions dire en rétrospective que nous avons fait un pas de géant pour rendre nos collectivités plus fortes et plus inclusives pour tous les Ontariens et toutes les Ontariennes.

That's what this is really all about: creating legislation that will give us the framework to move forward in a way that would improve the lives of thousands of people with developmental disabilities in Ontario.

I encourage all members of this House to support this important legislation.

**Mr. Khalil Ramal:** I am honoured to rise in this House today on behalf of our government for second reading of Bill 77, the Services for Persons with Developmental Disabilities Act.

I want to pick up on something the minister said just now. As legislators, we have to view legislation in the context of when it was passed. Our previous developmental services legislation spoke to a time when we supported people with a developmental disability primarily in a provincial institution, but much has changed since then. Our previous legislation simply does not address anything about who we are today. The legislation before us aims to change that.

As a responsible government, we have to change our legislation if we ever hope to stay in step with the times and with new ways of thinking. Today, we support people with developmental disabilities in communities across Ontario. Today, we support people with developmental disabilities in homes, not institutions. These individuals have as much right to live and contribute to the fabric of our communities as everybody else. In fact, our communities are stronger when we include people of all abilities.

Aujourd'hui, nous aidons les personnes atteintes d'une déficience intellectuelle à vivre en société, dans toutes les collectivités de l'Ontario. Aujourd'hui, nous ne plaçons plus les personnes atteintes d'une déficience intellectuelle dans des établissements; nous les aidons à vivre dans des foyers.

Ces personnes ont tout autant le droit que les autres citoyens de participer et de contribuer à la vie de leur collectivité. En fait, nos collectivités sont d'autant plus fortes si elles font appel à tous leurs citoyens, quelles que soient leurs habiletés.

Our journey to where we are today in developmental services has been a gradual evolution.

**1350**

We have worked closely with our community partners that provide the dedicated services and forward-thinking programs for people with developmental disabilities. These partners know how important it is that people with developmental disabilities have the opportunity to live their lives to the fullest that they are able, and with the passing of our proposed legislation, we could really move



forward into the 21st century and show others exactly what we are made of.

This legislation is about accountability and sustainability, certainly, but it's also about compassion for the individuals, their families and friends and for the community agencies that support them. Our proposed legislation is all about the future of developmental services, and this is what Bill 77 is all about.

Let me set the stage for you. Today we have a \$1.57-billion developmental services system supporting more than 40,000 individuals. That list continues to grow. We knew we needed to make some pretty dramatic changes, and we knew that the best way to do that was to speak to the people who would be most directly affected. Families are telling us they need an easier time getting help through the system. It's just too complicated. They need services and supports closer to their homes, not in segregated communities spread disproportionately across the province. Families are telling us they need more choice and flexibility in the supports they receive. Our proposed legislation would respond to all of those needs.

Les familles nous disent qu'elles veulent obtenir plus facilement de l'aide. Le système actuel est trop compliqué. Elles ont besoin de services et de soutien près de chez elles, pas dans des collectivités isolées et mal réparties sur le territoire ontarien.

Les familles nous disent aussi qu'elles souhaitent plus de choix et de latitude pour obtenir du soutien. Notre projet de loi permettrait de répondre à tous ces besoins.

If passed, this legislation would lay the foundation for Ontario to build a new and more modern system of developmental services over the coming years, and it would make the system sustainable for future generations.

Let me talk about some of the key features of the proposed legislation. First, we want to get rid of archaic terms such as "facility" and "institution." The three remaining facilities are set to close by March 2009, and we won't need to use this kind of language for much longer. Second, we want to create application centres for access to developmental services across the province. Staff at these centres would be trained consistently across the province and have the tools they need to help families through the application and assessment process.

Setting up application centres would mean that families and individuals would only need to go to one place to apply for supports instead of having to tell their stories over and over at several individual agencies.

We also want people to have more choice and flexibility in purchasing supports that are tailored to their needs. So we want to provide funding either through community agencies or to application centres for direct funding. We want to get a better handle on service planning.

That's why we would start collecting information from individuals and application centres to improve service planning throughout the province. Without careful planning, forecasting future service needs and changes is difficult.

And because we are in a time when families and individuals have more say in where they will live and how they will live, we want to give them greater peace of mind. We can do this by introducing accountability requirements for agencies, individuals and families that receive direct funding, which would include provisions to allow us to take corrective action against agencies or application centres if there are serious issues; for example, concerns about health and safety or financial administration. Taken together, the elements of this proposed legislation will serve us well into the future. This legislation would allow this and future governments the latitude needed to build and maintain a modern system of developmental services.

We have come a long way, but there is much more to be done. We can do more; we can do better. I believe it's time for us, as provincial legislators, to come together and take our developmental services system to the next level. We have worked hard to make sure our bill will give us the legislative framework we need to support what we started in 2004, when we first announced plans to transform the developmental services system. We have worked hard as a government and as a partner with families, individuals and agencies to develop this proposed legislation.

Il est temps pour nous, les législateurs de cette province, d'unir nos forces pour faire entrer notre système de services aux personnes ayant une déficience intellectuelle dans une ère nouvelle.

Nous avons travaillé fort à ce projet de loi afin de nous doter du cadre législatif nécessaire pour poursuivre ce que nous avons entrepris en 2004, lorsque nous avons annoncé notre plan de réorganisation des services aux personnes ayant une déficience intellectuelle.

Nous avons travaillé fort en tant que gouvernement et en tant que partenaires des familles, des bénéficiaires et des organismes pour élaborer ce projet de loi.

I encourage all members of this House to support this legislation, because it is important for all of us to keep working together in order to improve this sector.

As everybody in this House knows, in my past capacity, I worked for many years as a counsellor with Community Living London. I also worked with the Ministry of Community and Social Services as a counsellor at the facility in Woodstock, before they closed it because we moved the people to the community. As the minister mentioned many times, she visited many different group homes and saw the people who had been transferred from a facility to a group home, how they functioned, how they loved it, how well-behaved they were. It's important for all of us to look at this sector very well, because people with developmental disabilities have a right to live in a place they choose, and also to be a part of the community. I know 100% that they have a lot of ability and good work to offer us, and they have a lot to offer the community at large. Also, they have the ability to contribute to our province.

Our duty and obligation as legislators in this place is that we've been given permission by the people of Ontario to look after many different issues. This issue is



very important for all of us because, in the end, we have to make sure all the elements of our society are working together in order to enhance our ability and maintain our prosperity in this province.

I had a good experience with people with developmental disabilities. I noticed and felt very much that when they moved from big facilities, where they were just a number, to the community and were living in a house, had a job they went to on a daily basis and were treated with respect, their behaviour totally changed and they became very well-behaved individuals. They have the ability to offer us something we don't know. But when we gave them the chance, they treated us with respect, as a response to us treating them with respect.

1400

I think it's a very important initiative. I'm honoured and privileged to be part of a government and part of a ministry that feels passionately about this issue and brings it to our attention as a Legislature to reform it and give the ability to many people who are waiting for us to permit them to participate in our daily lives. Thank you for allowing me to speak.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Norman W. Sterling:** As an MPP who represented Rideau Regional Centre, I have long been concerned about many of the residents who are being forced out of the residence at Rideau Regional Centre by this government—the previous government wasn't forcing them out—after they had lived there for 40 or 50 years, often in the same residence, as they called it, with a friend for 30 or 40 years. This government is forcing these low-functioning adults into the community, separated from their long-term friends. They call this a social advance.

I agree, and my party agrees, that high-functioning adults who can succeed in society should in fact get out there. But I have two questions for the minister: Will she guarantee equal or better living standards, and will she guarantee equal or better health standards for everyone she forces out of these centres?

These centres, while the government would like to portray them as an institution, are the homes of these individuals. They have lived in them for 40 or 45 years. Their relatives and the people who care about them are very concerned with the lack of regard that this government has shown for the wishes of the parents of these individuals, for the wishes of the relatives of these individuals. Therefore, I believe that the general thrust of the legislation is right, but the way they are treating people and the parents of these people is despicable.

**M<sup>me</sup> France Gélinas:** I would like to start by saying that the NDP strongly believes that people with developmental disabilities are part of our communities. We want them to be our friends, our neighbours and an active part of our communities. When you live, interact with and have the privilege to know somebody with a developmental disability—they have a way to make us all better, a way to tug at our roots of empathy and a way of making

each and every one of us a better individual. We need them in our communities, but they also have needs that have not been well met in the past. Although the aim of the bill is to improve the lives of people with disabilities, I have serious doubts that it will actually achieve that. We will go into more detail as to how this bill could be changed to make it more relevant to the aim that we seem to be sharing: to make the lives of people with developmental disabilities better and to integrate them into our communities.

Le parti néo-démocratique est d'accord que nous voulons intégrer les personnes avec une déficience intellectuelle dans nos communautés. On veut que ces personnes-là soient nos voisins, nos amis, et qu'elles soient pleinement intégrées dans la vie des Ontariens de tous les jours.

Avoir la chance de côtoyer une personne avec une déficience intellectuelle est vraiment un privilège qui nous permet de développer notre empathie et ce qu'il y a de mieux dans notre communauté, et ces personnes-là sont très bonnes à faire ça. Ce sont des professeurs pour chacun de nous. On va appuyer l'idée du projet de loi, mais on veut certainement l'améliorer.

**Mr. Bob Delaney:** I am pleased to add my comments on this particular bill. In western Mississauga, where I live, we are served by both Community Living Mississauga and by Erinoak, which deal with both developmentally challenged children and adults.

It's been my pleasure to sit down not merely with the people who run both organizations but also with the many people who are served by them. What this bill reflects is an awful lot of the comments made by the people who work in the system. They say that when the systems were set up, three decades or so ago, a lot of the evolution of the supports that Ontario has offered both organizations and individuals was well intended at the time and came together piecemeal.

What the minister has introduced is a single portal of access for services and programs for people who are served and for organizations that serve them. This is not a small enterprise. It is, in aggregate, more than \$1.5 billion a year, and it serves some 40,000 people. So this would be like describing the services for a medium-sized city in Ontario.

What this bill does is recognize that times have changed, that there are better ways of doing this, and that the state of the art of organizing the resources and the services that Ontario brings to the organizations that provide the services and the people who benefit from them does itself need an overhaul. That's what this bill does, and it does so extremely well. This bill takes a system of supports that has come together in bits and pieces over three and a half decades and modernizes it and brings it into the 21st century.

**Mr. Norm Miller:** I'm pleased to add some comments to the debate on Bill 77, the Services for Persons with Developmental Disabilities Act, 2008, after the minister's speech and the speech from the member from London-Fanshawe.



I've had the opportunity of meeting with parents and families in the riding of Parry Sound-Muskoka, specifically on the issue to do with individualized funding, particularly with Debbie Vernon, who is a strong advocate for her sister, who was one of the few people in the province receiving individualized funding and living life at home with her mother. I was advocating on her behalf to try to get her more significant funding, an increase in her funding. Unfortunately, Debbie's sister is now in a long-term-care home, which is not the appropriate place for her, but unfortunately I was unsuccessful in getting an increase in individualized funding.

This government has its Passport program, but I learned from organizations like Family Alliance Ontario and the Muskoka Family Network, which Debbie is involved with, that overwhelmingly the new applicants to this program are turned down. In the Hamilton area, 174 people applied for the Passport program, which would provide individualized funding; only six people actually received the funding. The same is true in Toronto, where, of 400 applications, 33 people were actually funded. Of the \$200 million in increase in budget for developmental services, only \$6 million has gone to the Passport program, so we're not seeing this funding reach the families and the people who really need it.

I happen to believe that individualized funding can be a very significant benefit to these people who need the assistance, and I would like to see the government not necessarily create a bureaucracy and more red tape, but see them get the money to these families in the simplest way possible.

**The Acting Speaker (Ms. Andrea Horwath):** Response?

**Hon. Madeleine Meilleur:** I'd like to thank the members from Parry Sound-Muskoka, Mississauga-Streetsville, Nickel Belt and Carleton-Mississippi Mills.

I would like to reply specifically to the comment of the member from Carleton-Mississippi Mills. I don't know when he last put his foot into one of these institutions, but I can assure him that nobody is being forced out. Everybody has been working with someone from the institution to place this person out in the community. This member may be back 50 and 60 years ago—that's not the way to take care of these individuals. He asked me to guarantee him that they will have at least the same service or better. I can guarantee that to him.

1410

I've been visiting these institutions, the three of them. I've been visiting the group homes where these individuals are placed now. I can tell you that a lot of the parents—and I don't blame the parents, because they are encouraged by the member for Carleton-Mississippi Mills, who is trying to scare them out of the institution. I can tell you that for these individuals, there is someone working with them to place them at the best place.

We look first at the individuals—not the family, not the parents, not the politicians, but the person who is at the centre. All of the services are being wrapped around this individual. I can guarantee you that they will have

the best services, as good as, and most of the time better than—

**The Acting Speaker (Ms. Andrea Horwath):** Thank you. Further debate?

**Ms. Sylvia Jones:** I will be sharing my time with the member for Whitby-Oshawa, who's been an incredible advocate for individuals with disabilities.

It's a pleasure to rise today, as the Progressive Conservative critic for community and social services, to debate the second reading of Bill 77, the Services for Persons with Developmental Disabilities Act.

The developmental disabilities act needs to be updated, and it is important that the option of establishing direct funding as a choice for individuals and their families is entrenched in legislation. Families have been asking for individualized funding so that options are available to them as they continue to care for their adult children.

I was somewhat surprised that the government decided to call the legislation for second reading so quickly. In just over a week, all the interested stakeholders have had to digest and analyze legislation that completely revamps and replaces the developmental disabilities act.

I would like to thank representatives of Community Living Ontario and OASIS for taking the time to come to my riding in Dufferin-Caledon to brief me on their initial reaction to Bill 77. I also have received valuable information from Families for a Secure Future and individual families dealing with caring for their sons or daughters in the community.

I believe members of the Legislature must reach out to these experts so that we can develop laws that truly meet the needs of persons with developmental disabilities. We need to listen and give everyone a chance to provide input on how the legislation can be improved.

In the form of an example, I'd like to read just an excerpt from an e-mail that I received on Friday:

"Current situation:

"The Liberal government claims that they set out three years ago to deal with the severe inequity in the system between the haves and have not's. Nothing has happened to change this dynamic. Agencies still receive 80% of the dollars in the sector and support only 20% of the individuals in the province who have a developmental disability while families who provide support to 80% of individuals ... receive 20% of the overall budget. This funding formula is incomprehensible to families who care for their loved ones on a day-to-day basis with no support....

"Families believed that a transformed system would address this gross imbalance. It has not. In fact, the situation has only worsened." Last year, the only money the government invested was \$200 million for "pay equity that essentially 'broke the bank' and left nothing for families. In the midst of talk of large-scale policy changes within the Ministry of Community and Social Services"—most notably, the transformation agenda—"the family agenda has been completely stalled. Families have been asking for individualized funding options for



over two decades. They have been asking the government to expand programs like SSAH, which has proven to be a powerful tool for individuals to get the support they need to participate more fully in their communities, and this funding has been put on hold. What kind of a message does that send to families? Families have proven that they can be accountable through the SSAH program....

"Over the past two years, thousands of individuals and their families across Ontario have been put on waiting lists for SSAH and the two new initiatives: Passports and the innovative residential model. These families have been put into limbo and been asked to wait indefinitely.

"What are they to believe? Is the government serious about giving families individualized funding options or is it just empty rhetoric? Families will not stand by as promises are made and then carelessly broken." We saw that today with a number of families coming to the Legislature because they felt their voices weren't being heard in the consultation process.

"Families who choose not to access agency options must be treated fairly and given equitable alternatives. Passport, one of the new individualized funding programs that is given directly to the individual and their family, has ridiculously low ceiling caps on the funding amounts. Individuals are assessed to be at a particular level and are then given only that amount. They must give up any other forms of support that they currently have in order to partake in direct funding options and yet the amounts do not provide for enough support. In the name of fairness and equity, they are not given nearly enough funding to hire their own support workers and build a meaningful support system for their sons/daughters."

That's just one excerpt from an e-mail I received on Friday, which underlines for me the importance of the consultation part of Bill 77. I trust that after we have finished debating second reading, it will have a full and comprehensive public hearing process.

Bill 77 is not legislation that should be rushed. It is the first rewriting of the act since 1974. We need to make sure that the final law truly represents the needs of persons with developmental disabilities and their families. In view of this, the bill should go to committee for public hearings.

I would like to now touch on a few specific areas of the legislation in the hopes that ultimately the decision-makers will take the time to listen to the debate and hear some of the feedback we have been receiving both in the Progressive Conservative caucus and as members representing families.

**Regulations:** As with other Liberal legislation, Bill 77 seems to leave all the details to regulation and policy directives. Important elements will be decided by cabinet without the benefit of full public scrutiny.

Sections 36 and 37—two full pages—are dedicated to regulatory powers. Almost every section of the bill is subject to regulation. This means that after the bill is debated and then passes third reading, its true content will be shaped by a much smaller Liberal cabinet. Per-

sons with developmental disabilities and their families will have to wait to see how the new act will affect them.

So what are the regulatory powers that the Liberals want?

"(b) defining 'significant limitations' for the purposes of 3(1)." That's the section that defines developmental disability and therefore determines funding eligibility, something that I am sure the vast majority of stakeholders would want to know up front before they go into regulations.

"(c) prescribing additional services": What does that mean? What is the detail there?

"(e) ... prescribing the powers and duties of application centres": We'll get into that further along in the debate.

"(f) governing funding agreements....

"(g) governing direct funding and direct funding agreements....

"(h) governing applications for services...."

"(k) governing service agencies...."

I have listed some but certainly not all of the regulatory powers so that all members of the Legislature are in tune to the fact that the application for direct funding, how the application centres operate and make decisions, the funding agreements and the types of services offered are all subject to regulation. In other words, stay tuned; details to follow. The most disturbing part of that, of course, is that regulations don't have the same public scrutiny and option for input.

**Waiting lists:** When the minister tabled the legislation on May 15, she said: "This is a bill with families in mind. It responds to what families and people with developmental disabilities have told us through ... consultations."

I must say that for 100 individuals to come and demonstrate at Queen's Park today, less than 10 days after this bill was tabled, is more than passing strange. If they felt they had been consulted and listened to by the minister, I don't think they would have been out there. I do question the consultation that has occurred. I hope that more commitment is made on the minister's behalf to meet with these families and listen to, quite frankly, the success stories that have come up with the Passport program as it stands, and more importantly, how they see improvements and changes to it as we move forward.

**1420**

The waiting lists that are unfortunately part of the life of individuals and families dealing with developmental disabilities have not ended with Bill 77. In fact, applicants will be assessed, prioritized, and then many will be placed on a waiting list or, as I heard it described today, a no-service list.

Families have been asking for direct funding support for several years. The Liberals purport to be meeting this need, yet the budget dollars do not support the demand. As a result, persons with developmental disabilities and their families are being asked to wait once again for services that they have been determined to be eligible for. The result is that so many young people who have reached the age of 21 are at home sitting on a couch



instead of actively participating in their communities across the province. Parents are so distressed about this situation that, as I mentioned, they had to come to Queen's Park today to bring a reality check to this government.

There is a glaring difference between the rhetoric of the minister when she tabled the legislation and the reality of the amount of direct support for families who are caring for their adult children at home. We made reference in question period today that 90% of the applications that were put in for Passport were refused or turned down. The bill seems to set out options for direct funding, yet few are actually receiving the support. Over the past two years, thousands of individuals and their families across Ontario have been put on wait lists for special services at home and the two new initiatives: Passport and the innovative residential model.

I don't think we should bypass that application process without talking about just how cumbersome the process is. This isn't a two-page application. Families who are trying to access Passport and the innovative residential program basically have to have done their entire contract, set up their entire scenario, before they can start the application process. So a great commitment has gone into it before they've even done the application.

**Passport funding:** Since becoming the PC critic for the Minister of Community and Social Services, I've heard from many families who have expressed concerns about the Passport program. There are several issues which I'd like to highlight in my debate of Bill 77 today. Some families applied for the program, a complex application process, as I said, and did not receive additional support—90%, from the numbers we've been able to poll. I'm told that only \$6 million was allocated for Passport in 2007.

I spoke to a family as recently as Friday who went through the process of filling out the Passport application. As they were completing the last page, they were told by a ministry staffer, "Rumour has it that there's no more money," so if your daughter, in this case, was aging out, there's nothing there. Quite frankly, it's a terrible time to be graduating from high school in Ontario, I'm afraid. Some families have decided in fact not to apply, because they must give up all other forms of support that they currently have in order to partake in this direct funding option. Some families fear that the program has been capped.

Families whose children turn 21 this year, often referred to as school leavers, have expressed concern that their children will not even be considered for the direct funding model as there are no new dollars for Passport. What an unfortunate way to begin debate on Bill 77. When you think of the people who have had the benefits of their children in the school system, they've loved that connectedness to the community, to their peers, and they are literally going from seven hours to nothing.

The Family Alliance of Ontario has conducted a survey on the number of applicants versus the number of families who actually received Passport funding. The

numbers are rather alarming. As I raised in question period today, in the Hamilton area, 173 have applied for Passport and six people with developmental disabilities have been funded. In the Toronto area, over 400 have applied and 33 people were funded. In the London area, with 262 applicants, 11 people were funded. In the Durham area, with 40 applicants, 5 people were funded. And so it goes across the province. The numbers seem to be the same throughout the province.

The Liberal government has consciously decided not to allocate more for the direct funding option. In other words, they've made a choice about their priorities.

In May 2007, the Minister of Community and Social Services announced a \$200-million budget increase for developmental services. Where's the money? Last year, the government's only investment was to pay equity, essentially breaking the bank, leaving nothing for families.

Direct or individualized funding is another area I'd like to talk more about. Bill 77 introduces two streams of funding for persons with developmental disabilities: direct funding to the person and indirect funding to the person through transfer payment agencies. There is, without a doubt, a role for both types of funding. I believe that the transitional sections of the bill will allow community living agencies and residential homes to continue providing the valuable service that they have been providing. What is new in Bill 77 is the direct funding option. We're not breaking new ground in Ontario by legislating direct funding; British Columbia and Alberta have the direct funding option currently. Direct, or what they call "individualized," funding is also available in Great Britain.

That said, we need to look at what direct funding is and why it is an important change. When I met with Orville Endicott, the legal counsel for Community Living Ontario, he referred me to the work of John Lord, of Kitchener-Waterloo. His research concludes that individuals with direct funding have a good quality of life and are integrated into the community. Isn't it wonderful that we have people studying and actually proving what the rest of us think makes sense? I would like to cite some of John Lord's research. His paper, *Moving Toward Citizenship: A Study of Individualized Funding in Ontario*, examined the direct funding model in Ontario from 2001 to 2005. He selected four regions of the province—two metropolitan areas, one rural and one mid-sized city. He found a number of things, and for any of the members who would like to learn more about it, it really is a well-researched and set-out explanation of the individualized funding and how it relates in Ontario.

John Lord concludes that daily lives for individuals receiving direct funding improved. He discovered that participants were "gaining partial entry to employment," both volunteer work and some paid employment, were "more confident" and independent, "went more places in the community," participated in recreational activities and had a large number of personal relationships, all of which families who have been advocating for



individualized funding and for assistance to ensure that their sons and daughters can integrate into the community have been asking for.

Based on this, Mr. Lord believes that the province should move forward with the direct funding model, as there are very positive quality-of-life outcomes.

The need for a facilitator: Before I conclude my comments based on John Lord's research, I would like to make members aware of another one of his findings, that "planning is an integral part of the process...."

"Facilitators worked with the people being supported and their families to develop goals and a support plan based on the dreams and interests of the person."

Families interviewed by Mr. Lord's team had very positive relationships with their facilitators. They described three roles:

"First, facilitators helped individuals and families plan.... Second, facilitators assisted people to develop and expand their support networks.... Third, facilitators played an ongoing support role for implementation.... Some families called the facilitator their 'guide,' while others noted that feedback from facilitators often addressed things the family had not yet considered."

British Columbia recently implemented legislation that gives individuals and families an opportunity to choose direct funding and facilitators who are independent of the service system. So why has the Liberal government not provided for facilitation and independent planning in the legislation? I was at a meeting with the minister recently when her staff indicated the government is currently conducting a pilot on independent planning and facilitation models.

The need for facilitation is also emphasized by Families for a Secure Future. They believe that independent planning supports need to be included in Bill 77 to make the most out of direct funding options. It will help direct funding to be utilized effectively. Families want help to implement plans once they get direct funding and set individual goals for community participation. It is an essential ingredient for any direct funding model. Families for a Secure Future contend that it is not a role for the application centres. Application centres who are assigned responsibility for determining eligibility and assigning priority are not able to provide independent planning and facilitation. They also see a conflict of interest as they are responsible for funding.

1430

The other thing I'd like to highlight when we talk about facilitators in comparison to the application centres: If the rumour that I am hearing is accurate, which is that there will be eight to 10 application centres across Ontario, the distribution will be too far afield to have any kind of substantive facilitation occur. It will all be about coming in, processing the application, doing your hour interview and moving on. They will not have the same appreciation or understanding of what the family is currently going through and where the family is headed in terms of their individual needs.

Various pots of money: The Ministry of Community and Social Services has a number of pots of money to support persons with developmental disabilities, all with different parameters and rules. As well, some families receive disability support from the Ministry of Health and Long-Term Care through community care access centres.

Multiple funding envelopes are frustrating for families. They need to spend their time filling out time-consuming applications for each individualized program and, I might add here, in many cases on an annual basis. So even for someone whose physical diagnosis is not going to change, we are asking them every year to fill out the same cumbersome application in detail. Both shared services at home and Passports have long and different applications, and yet much of the information is already known.

Section 3.1 of Bill 77 defines "disabilities" as "likely to be lifelong in nature," yet every few years a new, complex application is needed. If the disability is lifelong in nature, once the determination is made, should families constantly need to be assessed for eligibility? Although an individual's program may need to change, do we really need all the paperwork that goes with an annual application? After all, someone needs to review and approve all that paperwork, and therefore there is a significant administrative cost and burden to the ministry.

At this point, we do not know whether the new direct funding will continue to be offered in separate pots, with separate applications. As all this will be determined by regulation and policy directives, I would encourage the Liberal government to proactively streamline the process and make it work better for families. What families need is a coordinated approach to direct funding.

Finally, application centres: The centres will be responsible for determining eligibility, carrying out assessments and prioritizing. This is central to the new direct funding model, yet there are no details on the structure or oversight of these new centres—and I underline "new," because they're not going to operate under the community living structure at this point and they are not operating under the CCAC, as I understand it. But this comes back to how quickly we've been asked to debate and discuss Bill 77, because for every person you ask, there seems to be a different answer as to what the application centres will look like.

So the questions I have are—and it's unfortunate that we can't get some answers in the response: How many regional centre will there be? How soon will the application centres be operational? Will there be satellite centres to assist with the large geography of our province? Will there be regional waiting lists or one central list? Will the application centres be like community care access centres, or does the ministry have another governance model they are reviewing? Will existing regional offices and staff take on this role, or are we looking at a whole new hiring process for that expertise?

Page 7 of the bill refers to "classes." What kinds of classes of application centres does the government



envision? It is unfortunate we don't have some of these details now, while we're debating them.

All of the above are subject to regulation or policy directive. However, as we debate this bill, I feel that the government should provide answers by outlining their plan for the introduction of application centres. If the Liberal government shares the framework, then they will receive valuable advice from policy experts in this sector. It's a little disconcerting, actually, to hold that kind of detail in their pocket, so to speak. It makes you question why they aren't being more open about how the process will spin out. Unfortunately, at this point there are too many unknowns. I believe that individuals and their families deserve more clarity from this government.

Finally, I'd like to touch on transfer payment agencies. When I met last week with OASIS, which is Ontario Agencies Supporting Individuals with Special Needs, they emphasized that they will continue to need financial support for their day-to-day and residential programs. The legislation provides that before the day the legislation comes into force, persons with developmental disabilities "shall continue to receive ... those same services until such time as the application centre for the geographic area in which the person resides conducts a reassessment...."

Although the transition clause will provide stability for the transfer payment agencies in the short term, it is not clear what impact the reassessments will have on individuals or their service providers. It is also not clear when the reassessments will occur or how often the reassessments will be done.

I understand the new assessment tool has been piloted by a group of service providers across the province. I think this is another area where there should be transparency and open dialogue about the new assessment tool, in order that it meets the needs of all persons with developmental disabilities, both those receiving direct funding and those receiving indirect funding.

I hope to have an opportunity to meet with service providers over the next few weeks or months so that we can learn more about their reaction to this legislation. I think it is incumbent on us, as legislators, to ensure substantive consultation with all stakeholders and families who have chosen to play an important role in their children's lives, and I'll speak briefly from personal experience.

When I had my first job, I had to get a car. So I went to the local credit union. Of course, you appear before a board and they ask for a co-signer, and my father co-signed. I remember very, very clearly to this day, his appearing before this group of 10 board members who said to him, "Why are you prepared to co-sign your daughter's loan?" Dad said, "Because she's my daughter, and if I don't do it, who will?"

I would hate to think that we, as a government, are standing in the way of individuals and families who want to assist and want to play a critical role in their daughters' and sons' lives because of their developmental disabilities. I would hate to think that we, as legislators,

frankly can't get out of the way and enable them to participate as fully as they can in their children's lives.

In my remarks today, I have only highlighted some of the many issues that need to be debated as we consider Bill 77. As I said at the outset, I believe that the bill, which repeals an existing law and replaces it with a new one, should be considered carefully by all members of the Legislature. This bill should be sent to committee so that the members can hear from a broad range of interested parties. At committee, the ministry should provide further details on how the direct funding model will unfold, particularly related to the application centres.

I hope, and I believe, that all members should be open to the possibility of amendments to improve this bill. The legislation has not changed since 1974. In contrast, many people with developmental disabilities have moved forward and are leading enriched and meaningful lives in their communities. As we move to have our laws catch up with the experience of individual Ontarians, we must take the time to review the new Services for Persons with Developmental Disabilities Act carefully. I look forward to further debate and discussions on Bill 77. I'd like to turn it over to my colleague from Whitby—Oshawa.

**Mrs. Christine Elliott:** I'd like to start by thanking my colleague the member from Dufferin—Caledon, for sharing with me her time for debate today on Bill 77, the Services for Persons with Developmental Disabilities Act. This is a very important piece of legislation, and I'm very pleased to be able to participate in this debate.

**1440**

Let me say at the outset that there are many good aspects to Bill 77. I do commend the minister for bringing forward the concept of individualized funding and allowing families the choice of whether to continue with transfer payment agencies or whether to develop their own individual supports for their family members. In doing so, we of course recognize that everyone is different, everyone has a unique personality and unique set of needs, and that one size doesn't fit all. So I think that when we talk about people with developmental disabilities wanting to live their lives in the community, we're recognizing that fact, that everyone is different.

The concept of direct funding under Bill 77, I would concur with the minister, is long overdue and very much needed. There's no question that people living with developmental disabilities in our community—and I'm quoting the words of a family member here—"need to get off the couch and into the community," because that's the reality for many people when they finish high school.

It's been alluded to by my colleague the member from Dufferin—Caledon that once these young people graduate from high school there are no real programs out there for them in the community, that there are no meaningful life skills—day programs are very few and far between, depending on where you live. There are very few social and vocational opportunities. We've heard this time and time again. I've heard it since I became a member of this Legislature just over two years ago. I've heard this from families coming in to see me to say, "You need to have



something out there for our children to do. They're sitting in our basements watching television." The reality is that that's all there is for them to do.

I've also had the good fortune to be associated as a volunteer director for a number of years with an organization in my riding of Whitby—Oshawa called the Abilities Centre. We're trying to build a multi-purpose social, recreational and performing arts facility for all people with special needs. In the process of developing the programs and the needs of this Abilities Centre, we've consulted with about a hundred different focus groups, with people with all varieties of needs. I can tell you that the needs for young adults with developmental disabilities came up as the number one priority. That's how bad it is out there. There are virtually no supports out there for these families and young people in these situations.

I think we need to look at the needs not only of the young people, the adults with developmental special needs, but also their parents. I think we have to sit and look at the situation from their viewpoint. We've heard from families that this is the greatest concern in their lives: "What's going to happen to my son or daughter when I'm no longer able to meet their needs?"

The reality is that this is coming to a crisis. As more and more families who've been there for their children year after year, who've been the volunteers in Community Living and all of the other agencies out there, always expecting that there were going to be supports and services for their children when they were no longer able to provide for them—all of a sudden, that day is coming and they're finding that the supports are not there. I can't imagine as a parent how that must feel. We need to be there for their children but also for their families, to make sure that they are reassured that there are going to be supports out there for them.

That's what we need to do with this bill. There's no question that change is needed, that families need this kind of support. But what we're seeing, apart from some empty rhetoric in this sort of bare-bones framework of Bill 77, is that the reality is that there's not adequate funding. For this to work, we need to make sure that we can put the funds into those programs to help those people get out into the community—off the couch and into the community.

There have been numerous statistics that have been quoted. In my home region of Durham last year, for example, there were 40 families who made applications for Passport funding. Only five of them were accepted. The Passport funding, of course, is the funding that allows people to get some support workers to go with their children into the community for social, recreational and work opportunities, whatever it happens to be.

The practical result that this is having is that these families by and large are very close together—they've formed a close-knit community—but when there's sort of an arbitrary picking and choosing of one family getting Passports and another family not getting Passports—you're happy for them of course, the families tell me. But

it's starting to—not pit families against families, but it's creating divisions in a community that wants to remain cohesive. They simply can't understand on what basis the Passport funding is being allocated. Is it just a question of first-come, first-served, and it gets paid until there's no money left? Are they allocating on the basis of physical special needs in addition to developmental special needs? No one seems to really know.

The only thing people do know is that there is not nearly enough funding. It is, in fact, ridiculously underfunded.

We have heard from the minister and from some of the other government speakers on this subject that there was a lot of money allocated in the last year: \$200 million for this sector. That's quite true, but as I understand it, most of this money was allocated for pay equity, to bring the people working in the developmental services sector up to par with some of the other workers in other sectors.

There's no question that that money is long overdue, and certainly no one would begrudge any of the wonderful people who work with people with developmental special needs. They do unbelievable service. They're incredibly kind. They're almost family members. There's no question, no one would say they shouldn't be paid more. But what happened as a result is that less than \$10 million was allocated last year to fund the Passport program. We need much more than that.

The other issue is, if individualized services are going to be offered to families, how are they going to be able to deliver these services? The act—I believe it's section 12—indicates there is going to be a series of application centres set up across the province that will function as central portals for people wanting to obtain these services. When they do that, we're not sure whom they're going to be delivered by, whether it's going to be community living agencies or separate agencies, or whether there's going to be another level of bureaucracy that will be built up. I hope not, because we need the money to go into direct service.

The reality is that when families go to the application centres and make application, they are told that there is the option of direct funding, but there is no provision in the legislation—this is a good area for an amendment, in my view—no indication as to how families go about setting up these plans for their children, so that if they get an allocation of money, they're going to know which agencies or individuals they can approach to create these plans for their children and make sure they are facilitated in a way that is going to get the best value for the money.

We've heard about several of these wonderful groups that have been working with families. In most cases where specialized individual plans have been put in place, they have been facilitated by such groups as Families for a Secure Future, which is a wonderful organization. The goal for all these plans is to build circles of support around these individuals and their families so that at the time when the families are no longer able to fulfill all their children's needs, they will have other services in place, both paid and unpaid. It's like creating



family circles and some paid circles around people so that they have supports to carry on in their lives and the family members know that their children are going to be cared for in the future.

It's not an easy thing to put this kind of plan in place. There are many other factors that have to come to bear, including legal and estate planning considerations. It's not simply a matter of saying, "Here's a cheque for \$10,000," or whatever it's going to be. "Go out and buy those services." You have to know what services you need and where to find them, and then how to set them up. I think that's something that really hasn't been addressed, and not much time has apparently been spent dealing with that.

In speaking with some of the family members who gathered with us on the lawn after question period today, we certainly heard that there is a need for these facilitators to make sure, from the government's perspective, that value for money is being obtained. Family members have told us they believe that in most cases—not all—they would be able to deliver or put in place supports for their children at about half what it's presently costing the government to maintain their children, with whatever resources they have available for them to date.

They know what the family needs. They are listening to their own family members, who are telling them what they want. I think that's another whole piece that's missing from all of this too. What does the individual want? How do they tell facilitators, and how do they tell the government, what they want? We need to involve family members with them so they can help to share their vision for the life they want to lead in our community.

We certainly have heard how many families are struggling. We heard many really unbelievable examples of how families are coping out there, with very few supports. There was one young lady out there today with a family member who is in a wheelchair. She's also developmentally disabled. She needs more than one person to lift her out of her chair. It's very, very heavy work for her family members. When her parents need respite, they have had an arrangement with a long-term-care facility to put their daughter into the long-term-care facility for a few days. But they've recently been told that the long-term-care facility is no longer going to be able to accept their daughter for respite, so they have absolutely nothing left to turn to. That means that their daughter simply cannot get out of bed at all to do anything, and that's not right. In a society like this, we need to give those young people the supports to be able to go out and live in the community to the fullest extent possible.

1450

I would like to just close by saying how important and wonderful it is that our new Lieutenant Governor, Mr. Onley, has called on all of us to do whatever we can to promote inclusion in our societies and to start looking at people's abilities, not their disabilities. That requires a fundamental shift in the way we look at people, in the way we look at their lives. It's a paradigm shift.

It's not going to be something that's easily done. There are a lot of voices that need to be heard here, so we need to take the time to give the consideration to this bill that we need to, to make sure that it's not just going to be empty rhetoric, that it is going to deliver the programs and services that we need for these young people and their families.

Many of those voices feel that they have not been heard, so I would certainly urge the minister and the government to take the time that they need to in order to have committee hearings on this. We need to have a lot of time devoted to these committee hearings for everyone to be able to come to Queen's Park to have a say, and they need to be travelling hearings. I would submit to the government that this is really imperative because, particularly for this group of people, it's very hard for them to either get here on their own—because they can't leave their family members behind; they're directly responsible for their care—or it's very difficult to get their family members to come with them, to travel that sort of distance. Added to that is the fact that that one parent in many situations has had to leave paid employment to care for their family member, so they're financially disadvantaged. We really need to think about that in terms of allocating the time for committee hearings.

I think that if the government wants to make this bill meaningful, if they want to make this kind of change in our society, if they want to be able to give everyone in our community a chance to live a life with dignity and to meet their full potential in our society, we need to take the time that we need to spend on this bill to make sure that it's not just empty words and hollow rhetoric.

I thank you for the opportunity today to speak to Bill 77.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Michael Prue:** I have comments. I listened intently to my colleagues from Dufferin-Caledon and from Whitby-Oshawa and what they had to say. What they had to say were very compassionate statements, very knowledgeable statements, talking about what needs to be done.

I'd just like to zero in on two of the things they were talking about. The first one was the range of topics that is going to be subject to regulations. It is a very huge range, as the member from Dufferin-Caledon listed out. We in opposition of course—and I think even most of the government backbenchers—have no way of knowing what those regulations are going to be and how they are going to shape the very body of the bill. When I make my speech in just a little bit, we will be asking for public hearings not only on the bill itself but on many of the aspects related to the regulations. We want the public to have input so that when the government and the minister decide what is going to be contained within the four walls of the regulations, there has been considerable public dialogue, and they're not done in a vacuum.

The second thing that was brought up—and both speakers talked about this—was the demonstration that took place outside of Queen's Park today, the hundred or



so people who came to demonstrate about this bill. Although I would suggest that most people would generally be in favour of the provisions of the bill, there has been to date a woefully inadequate public consultation period. When you have 100 people demanding to be heard, when they do not feel that their views have been expressed within the body of the bill, when people seem, at this point, to be unhappy, I am simply calling upon the government, in view of the fact that that many people showed up on the first day of the debate, to ensure that there is adequate public consultation during the committee stage. I trust that members of the government are listening, and I trust that they will accommodate that.

**Mr. Khalil Ramal:** I was listening carefully to the two members, from Dufferin–Caledon and from Whitby–Oshawa, commenting on this bill. I think it's a very important and legitimate concern and question to be sent to the government side. Of course, this bill is going to committee, and we're going to hear from a lot of people. I want to tell you that as part of the government and specifically part of this ministry that was introducing this bill, I went to many different briefings. I am very happy and honoured to be a part of this government and part of this ministry, because this issue means a lot to me.

As I mentioned many different times, I worked for the Ministry of Community and Social Services as a counsellor for people with developmental disabilities and also with Community Living London for many years. I know the difference and the impact it will have if we move the people from facilities to group homes. Why not treat them as independent people, as individuals who have the ability and capacity to deal with their own issues, with support from the agencies, group homes, government or families? It's important. I know that it's not going to be just openly handing cheques to people left and right, as the member from Whitby–Oshawa mentioned a few minutes ago; no, there's going to be responsible accountability of the people who are receiving those cheques. The government has the right to interfere and stop any activities, or stop the funding, if they see any financial, health or other risk that those people would face from any actions.

I want to assure the House and all the people listening to us that it's going to be an incredible achievement if this bill passes, in order to reform this act in a fashion that will help and support many people with disabilities across the province, and also their families, because it's important to us.

**Mr. Norm Miller:** I'm pleased to add some comments to the speech from the member from Dufferin–Caledon and the member from Whitby–Oshawa, both relatively new members of the PC caucus and both doing an excellent job, particularly on the developmental disabilities file.

I've seen at first hand how individualized funding—in the rare cases where it has been approved in the past—has really made a difference. As I mentioned the last time I had a chance to speak, I met with Debbie Vernon, her sister and her mother, and I saw how the individualized

funding they received was able to provide for a great quality of life for Debbie's sister. It allowed her to stay at home with her mother, and they were able to hire a couple of people to assist her, and she was able to get out and participate in community activities.

Unfortunately, now her sister is in a long-term-care home, in an environment that doesn't provide the same quality of life because the government wasn't responsive to increasing funding to allow them to be able to maintain that independent lifestyle. But I have seen how individualized funding can really make a difference in the lives of those people who need it, and I believe also that it can make economic sense, where it's more reasonable in terms of the cost than the cost of providing some of the alternatives, like a long-term-care home.

This government hasn't, in the past, been particularly receptive. In fact, I made many requests for the Muskoka Family Network to meet with the past minister, and the minister would not even meet with the network, so I'm pleased to see this legislation coming forward, but I'm a little concerned that it might be creating more bureaucracy. I'd want to see the money actually get to those who need it. I look forward to this going to committee, I assume this summer, where there will be lots of opportunity for public input.

**M<sup>me</sup> France Gélinas:** I too enjoyed the comments made by the MPP from Dufferin–Caledon and Whitby–Oshawa, certainly a well-researched position as to how they see this bill unfolding in the lives of people living with a developmental disability. I agree with part of what they said, that it certainly needs improvement in the way that it differs between the aims that the bill is trying to do versus what it's going to end up doing. I also want to lend my support to the fact that they have taken the time to listen to the people with developmental disabilities, because they and their families are the people who know best what is needed for their loved ones.

**1500**

Quand on pense au travail qui a été fait par les deux députées qui ont présenté leurs positions, on s'aperçoit qu'elles ont pris le temps d'écouter les gens et leurs familles qui vivent avec une personne qui a une déficience intellectuelle, et c'est un aspect important de ce que les néo-démocrates veulent voir.

Certainement on s'attend à ce que ce projet de loi aille en comité et qu'on lui donne suffisamment de temps pour prendre le temps d'écouter les gens. Elles ont mentionné qu'aujourd'hui sur la pelouse, bien qu'il ne fasse pas si beau que ça—non, en fait c'était pas si pire, la température—il y a quand même au-dessus de 100 personnes qui sont venues, qui veulent être entendues, qui veulent qu'on les écoute, qui ont quelque chose à dire par rapport à comment les services pour les personnes qui ont une déficience intellectuelle devraient être offerts en Ontario.

On est d'accord que ça fait longtemps que ça devrait être amélioré et changé. On a une opportunité; profitons-en pour faire quelque chose de bien, quelque chose qui comptera pour maintenant et dans l'avenir. On entend y participer.



**The Acting Speaker (Ms. Andrea Horwath):** Response? The member for Dufferin—Caledon.

**Ms. Sylvia Jones:** I would like to acknowledge the comments from the members for Beaches—East York, London—Fanshawe, Parry Sound—Muskoka and Nickel Belt. If there is a thought that I could leave the members with as I wrap up my discussions on Bill 77 in this House, it is that more detail needs to be set out in the legislation so that we have the opportunity to debate it and discuss it. While the words sound positive and proactive, it's important for us in opposition and, quite frankly, families and caregivers to know that the words actually have some substantive action behind them.

One of the things that were raised with me at the demonstration this morning was the need for the minister to listen. They have been requesting a meeting. Very similar to the issue raised by the member for Parry Sound—Muskoka, they've been asking to have the minister listen to them, to hear their concerns, to hear their success stories.

I guess I've been one of the lucky ones. I have heard the lucky 10%, we'll call it, who have had access to the individualized funding or Passport. There are some good stories that need to be heard by the minister and by us as legislators, because it has been working. So let's take that pilot project, for lack of a better word, that Passport is and expand it so that more people and more families have access to it. Then we can continue to improve the lives of all of our communities by having Passport available and open to others. So more detail needs to be there, and more consultation.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Mr. Michael Prue:** I will be rising today to give the lead-off speech for the New Democratic Party and to welcome people in the gallery today: families with people with disabilities, community living and others who are so vitally interested in this bill and what is going to happen to this bill.

There are about 120,000 people in this province who live with disabilities. There are about 12 million Ontarians, so that's about 1% of everybody in the province of Ontario living with a disability. Those people are part of our communities. We are them and they are us. They live with us; they shop with us; they go to school with us. We need to be inclusive at all times to everyone who lives in our community. We need to be inclusive with the 120,000 Ontarians who live with those disabilities and to understand their needs and do what we can as a society to make sure that those needs are met and that those people are able to fully contribute to a rich and diverse society like Ontario's.

We need to understand that disabilities will continue throughout people's lives. We need to ensure that we look very carefully at the varying degrees of support that people need throughout their lives, that those needs change from time to time and that the abilities in fact of many people change from time to time as a result of education, training, experience and work experience, and

that something that was thought impossible 20 or 30 years ago is now becoming quite the norm today. People who thought that the disabled, especially those with an intellectual disability, would be unable to work now see them holding down full-time, meaningful work. When I go into the supermarket, I see people with intellectual disabilities stocking the shelves, and doing it very well. When I go into the pet store, I see them there helping to groom cats and dogs, sweeping up and doing all kinds of meaningful work, and doing it very well. In some cases they do it without a job shadow and in some cases they need a job shadow in order to make sure it gets done.

We also know that 40% of people with developmental disabilities have multiple disabilities that may require supports in complex care, sometimes for 24 hours a day. We know that theirs are very special needs. They need society to understand those needs, to accommodate those needs, to care for those needs and, dare I say, fund those needs.

Mr. Speaker—people in the audience may wonder, but the Speaker has changed—I have had the privilege over my life of meeting many such wonderful individuals. I'd just like to highlight a couple of them and the impact they have had upon me.

The first one was a gentleman who I got reacquainted with on the day this bill was brought before the House last week. His name is Brian. Brian is one of the Three Guys. That's the name I first got to know him by, the Three Guys. They occupied an apartment in the St. Clair-O'Connor community which was run by the Mennonite group in Toronto. The families decided that they needed to make sure their sons were able to cope for themselves, as the families were getting older, and they wanted an opportunity for these three guys to experience living on their own. Now, they didn't live entirely on their own; they usually lived with one of the family members present, especially during the evenings.

Brian, who I got reacquainted with, was able to hold down a job and traveled extensively around the city by TTC. This was an opportunity for three guys to live together and experience life on their own, and their families made sure it happened. I was very pleased to see Brian all the time. He was a bit of a neighbourhood character. He always had a pipe, although he never put any tobacco in it and never lit it, but that was his sort of claim to fame. People would see him with his pipe going down the street, talking to neighbours. I was very pleased to see him here, because he had moved away. He had moved to Scarborough, but he told me that he's moving back into another place in Beaches—East York called Project Amik, and he will be moving in very soon. There was just an example of a family that saw that something could be done and set out to do it.

There's another person I want to talk about today. He's part of what was called the Dream Team. I think many people in the Legislature would have met the Dream Team. This is a team that advocates for supportive housing for people with intellectual or psychiatric disabilities. The Dream Team is often a thorn in the side



of government. I know they write many letters to the Minister of Municipal Affairs and Housing and to the Premier advocating for more social housing and better access to people who need it.

One of the people I met through this was a gentleman named Martin Levine. Martin Levine calls me up at least once a week. He is not my constituent, but I met him—

*Interjection.*

**Mr. Michael Prue:** Yes, he's the constituent of Michael Colle—excuse me, the member from Eglinton—Lawrence—and Michael Colle, I'm sure, would know him very well. I don't know whether he calls the member from Eglinton—Lawrence as often as he calls me, but Mr. Levine called me today. He wanted to talk of many things, mostly about supportive housing, and wanted to make sure that the message is out there.

1510

Mr. Levine's story was a very sad one. When he was about five or six years old, his family, recognizing that he had an intellectual disability—what Mr. Levine describes as being a “slow learner”—decided he was better off institutionalized. They put him in an institution where he lived most of his life until he was well grown up. He had many problems living in that institution. One day he was freed and was able to go out. He works sometimes, and he has ODSP. He got married, and he lives in his own apartment and enjoys life to the full.

When you see, in contrast, his institutionalization at the age of five and the way he was able to adapt once he was allowed freedom, when you can see how he has put himself into society, then you have to understand that what has happened has been a good thing. This all happened in the last 20 or so years, when society's attitude toward people with intellectual disabilities changed remarkably.

The third person I'd like to talk about is Ron Bowman, a Peterborough resident living with cerebral palsy. Again, he was put into the Huronia Regional Centre, and was treated with all kinds of drugs and barbiturates. He claims, and I believe, he was often heavily sedated during that period. Today, with the support of Community Living Peterborough, Ron lives in his own apartment. He visits his family regularly, and uses a scooter to run errands. He does his own banking and shopping. He's really integrated into the community. He shovels the snow in the building's parking lot. He lives an active life. He has freedom to make choices, and he is not at all static.

When we see these success stories, I have to say that we know we need to get as many people as possible out of institutionalized settings and fully integrate them within our community. I just wanted to leave those three stories before I began the body of my speech.

We know, Madam Speaker—for the TV audience, the Speaker has resumed—that there is a great need, and we know that the need today is not being met. We know, according to the Provincial Network on Developmental Services, that approximately 13,400 people with developmental disabilities are waiting for residential services,

day supports and other supports and services, and that many families are waiting five years or more for 24-hour residential services.

We know that Ontario has not been able to accommodate them, largely due to the fact that money has not been spent in this particular area. We know that the money needs to be spent and we know it has to be spent. I'm going to deal with this in a little bit, because I'm not sure that within the body of this bill, or within what the minister or the parliamentary assistant have said, that there are going to be any financial inducements that go along with this bill, which causes me some great concern.

We know that some \$325 million is going to have to be spent by this government over the course of its mandate in order to get that waiting list of 13,400 reduced to zero. I have not heard any statements from the government side on whether that is going to be done with this system or with the old system; they're both pretty much the same.

We also need to know that a single person on ODSP receives a maximum benefit of \$999 a month, or approximately \$12,000 a year, on which to subsist. I say “subsist” because I don't think it's much of an existence. Twelve thousand dollars a year is some \$7,000 below the poverty line for a single person living in a city in Ontario. Twelve thousand dollars is not enough for a person on ODSP to fully function in the life of the people of Ontario. It simply is not enough.

I have been an advocate for a long time, and have posed questions in this House to the minister and to the minister before about people on ODSP, particularly those with developmental disabilities, getting to keep some of the money when they are able to obtain a job. It seems to me to make only common sense that if people are able to go out and get a part-time job and are able to use some of the skills and abilities that we now laud them for having, if they're able to make even minimum wage and to go out and to do things like working at PetSmart or at McDonald's or stocking shelves in a grocery store, we ought not to take that money away from them. I have been an advocate and I will continue to be an advocate that if people on ODSP—particularly those with a developmental disability, but certainly everyone—are able to get part-time, meaningful employment, they ought to be allowed to keep that money. They ought to be allowed to keep it up to and including \$7,000 a year, which will take them to the poverty line, which will take them to \$19,000 a year, so that having an intellectual disability is not a life sentence to live in poverty.

*Applause.*

**Mr. Michael Prue:** I don't know whether there is anything in this bill—I didn't hear the minister talk about it—but this should be part of the bill as well. It's not going to cost the government any money. Right now, they claw it back, which to me is wrong, because surely, these people have every bit as much right in our society to live at or above the poverty line as any of the rest of us. I am asking the members opposite, and I see at least one minister who applauded what I had to say, to look



very carefully and seriously at setting a figure which is not what it is today. I think \$100 a month is all they're allowed to keep, and after that the rest is clawed back. They should look to making that—

**Hon. Ted McMeekin:** It's \$316.

**Mr. Michael Prue:** It's \$316—look at making that around \$650 or \$700 a month, which would allow not only for the person to be able to afford bus fare, meals and things and maybe some clothes to go to work, so that they can raise themselves up and live in dignity above the poverty line. I would hope that that's one of the things that is done.

I also want to talk about something else which has disturbed me for a long time for people with disabilities. Again, I'd like to go back to Martin Levine, whom I talked about earlier. One of the reasons that he contacted me in the first place and one of the things that still bothers him is that he was, of course, put into an institution by his family at a very young age and got out when he was a grown man. You can imagine the traumatic experience that was to him. I know his family must have cared for him or thought they were doing the right thing because when his parents died, they left him an inheritance. And do you know what this government did with that inheritance? They clawed it back. Although the inheritance was only a small amount of money, because he was on ODSP, when he got the inheritance, he lost his ODSP until the money was gone.

There was a man who virtually got nothing from his family all the time that he was growing up. Finally, before his parents died, they recognized that they needed to do something for their son; they needed to leave him with a small inheritance. They were not wealthy people, so it was not millions of dollars; it was in the thousands—I believe it was under \$10,000. The government clawed it back. The government said, "You're on ODSP so you can't keep it." So the government cut the ODSP off until the money was gone and then put him back on it. I think that was wrong.

I'm hoping that an ODSP bill will look at this, will look at the government's practice of clawback, will look at a person like Martin and what he suffered in his life and understand that getting something from your parents, however small it is, was important to him. It was important because that was the only benefit he ever got from them. I certainly know that if any members of the Legislature have ever been lucky enough to be left money in a will, we didn't see it clawed back from us. We didn't see it taken away, not even in taxation. It's not until it gets up into the hundreds of thousands of dollars that you are subject to any kind of tax at all. Here it is, a person on ODSP doesn't have that benefit, and a person with an intellectual disability suffers in this way.

1520

We believe that there needs to be—as well as allowing people to keep the monies that they earn if they're lucky enough to get a part-time job—a substantial increase in income support through ODSP. It has not been raised

nearly enough. It was allowed to stagnate for so many years from 1995 until this government came into office.

I'm sad to say that, although the government continues to talk about increasing the rates, the rates have not even kept up with inflation: 3% one year, zero the next, 2% the third year, and I guess 2% later on this year, when it comes around time towards the end of the year again. That is not even to the level of inflation that has taken place over the last five and a half years, so that people on ODSP, people with a developmental disability, are actually worse off today than they were under the Harris years. I think this government has to recognize that as well.

When I've asked questions in the House, the minister answers: "Well, of course we're doing things for families, we're doing things for people with children." But the sad reality is that most people on ODSP, 90% of them, have no children, or no children for whom they are responsible because some of them are older adults. They have no children for whom they are responsible, so the money that goes into education, which is laudable, the money that goes into children's food programs, which is laudable, the money that goes into children's clothing and other things, which is laudable, does not affect them. So what we have done as a government is to put them and keep them in poverty.

We believe that those rates need to be increased, and need to be increased rapidly. The budget committee, as we traveled around Ontario, listened to something like 15 deputations, and the lowest that anyone asked for in those deputations was 10%. Sadly, we see 2% for half a year in the government's response. So I would ask the minister, in bringing forward this bill, to look very carefully at whether the rates are sufficient.

I'd like to talk about, again, the importance of looking after the workers in this sector. We have two sets of workers. We have the unionized workers, who primarily belong to OPSEU and CUPE, and we have those who are unorganized, who work for many of the agencies. The sad reality is that the wages are not adequate. Even in the unionized workforces the wages are less than the comparable wages in hospitals, less than comparable wages in municipalities, and less than comparable wages in other public sector areas that do pretty much the same kind of work. For those who are unfortunate and do not have a union on which to fall back, you will find that their wages are even worse. OPSEU and CUPE run in the \$17, \$18, \$19 range per hour, and those who work for many of the institutions who are not unionized can earn as little as \$10 an hour, some of them making \$12 or \$13 and some making more, but certainly not to the unionized level.

We need to, first of all, narrow the gap between the two. But, secondly, we need to recognize that even the unionized wage is not a strong wage for people with whom we trust our most vulnerable and precious citizens.

I'd like to talk again about the adequacy of the public hearings, because in my conversations—and I heard what the members of the Progressive Conservative Party had to say today—there are many out there who do not



believe there have been adequate public consultations to date. I know that the minister held consultations, but they were not public consultations. They were for invited groups and I'm not sure how many times groups were invited. I'm definitely sure that those who did attend tell me that they do not see the statements that they made reflected within the body of this bill.

We are asking that the public consultations be broad and meaningful and that they be held across this province to ensure that the 120,000 people who live with developmental disabilities are heard, either directly from themselves—and many of them are capable of doing that—or indirectly through their families and caregivers if they are not able to do so, to make sure that we get everything right. As has been said, the last bill was brought forward and passed in this House 35 years ago, and what we pass in this House is probably going to have to last for 20 or 25 years when we're finished. We had better make sure that we get it right. That's part of the public consultation.

I'd like to go on about how the bill says that it aims to lead to a more flexible, fair and accessible system that is "sustainable in the long term"—that's an actual quote—and that it seeks to achieve this end by modernizing and transforming the system. I have some questions to ask. I looked at this bill—and not all bills have them, but many bills have a preamble. Certainly the Constitution of Canada has a preamble. Certainly the American Constitution has a preamble. In the American case—because it's probably even better known than our own—it says, "We the people ... in order to form a more perfect union," and then it goes on and on talking about that. Everything within the Constitution of the United States, and certainly everything within the Constitution of Canada, flows from that. So when you read a constitution, or when you read a bill or a piece of law, you know that it has to meet those criteria. Certainly our own Bill of Rights in Canada and our own Constitution set up individual and human rights within the body so that you know that any law or any regulation that flows from it must meet those.

I think we need to have a preamble to this bill. I believe there should be a preamble that sets out very clearly where this Legislature sees the rights of people with disabilities. It needs to be settled very clearly in law so that when the minister makes regulations or when civil servants or the courts interpret the act—as they surely will have to do starting from day one, because it's about four inches thick—they're going to be looking at it and they're going to make sure what it means. They should be able to have a preamble at the beginning which sets out exactly what this Legislature expects people with disabilities to have and exactly what this government expects to be able to deliver to people with disabilities, so that the interpretations of a very complex act can be made reasonably secure to anyone reading it, so that it cannot be misinterpreted and so it will be given the broadest, most readable and understandable interpretation possible by those who must enforce it.

I have to ask as well: Will the modernization that the minister has set out in the bill actually improve

accessibility? Will it improve fairness? Will it improve sustainability? I don't know. But I know that if it has a preamble, you can rest assured that people will be able to read that and make sure that those other promises are met, because everything that flows from the preamble will have to be geared towards that end.

The bill does take positive steps. It provides for flexibility for financial supports to family members and it may promote a more individualized and responsive support. For family members capable of providing care directly, the legislation can be a step ahead, a step forward. The bill creates single-point-of-entry access centres to assess individuals and create a service profile. This makes real sense in terms of waiting list efficiencies and in terms of standardizing assessment. It proposes multi-disciplinary case management based on a single point of entry, and it's increasingly seen as a best practice in the provision of integrated care.

However, we do have some problems and we do want to seek some assurance from the minister. I hope, during the committee stage with people's interventions and discussion, that the single-point-of-access application centres, when combined with individualized budgeting, as proposed in the bill, have the potential—I'm not saying it's going to happen, but have the potential—in the future, without some very clear guidelines and perhaps without a preamble, to destabilize the current community-based supports and services. We know that they're doing a great job. We know that they don't have enough money. We know that some people have difficulty accessing them and prefer to have a family-controlled system, but we also know that they do a good job and we do not want to see them destabilized—all of those community groups that seek government funding and that have done yeoman service over the past 50 years to make sure that people with intellectual disabilities and with disabilities are treated fairly in our society. I want to make sure that they continue to exist and continue to be nurtured, and I don't want anything in this bill to eventually destabilize them.

#### 1530

We look at what is happening in the CCACs, the community care access centres. We look at the single-point-of-access approach, which can result in the rationing of services, with some actually being cut back. We look further to see what has happened with the disastrous competitive bidding process. We have that for home care. I'm worried that we are potentially setting up the same kind of service for people with disabilities that we've set up for home care. We know what's happened in Hamilton. The minister was forced to reverse. We know what happened before that, when Elinor Caplan was called in to try to remedy the system because it didn't work. We know that it's continuing not to work, with the repeated calls from community after community to get away from this kind of competitive bidding process. I'm just afraid that that same provision may also be within the body of this bill.

I'm asking the minister to carefully look at this and to make sure that this does not occur in a bill which is



intended to help. If it ends up coming down to a competitive bidding process—who can sell it for the cheapest rate—we know what happens. We know that whole communities of workers get destabilized. We know that people who have looked after families in home care have suddenly found themselves on the street and have to go back and ask for a job from the winning agencies, usually at less money. We know that when that happens many of them get frustrated and leave and that people who have come to rely on their services can no longer do so. I don't want to see that happening here. So I ask the minister to look very carefully at that.

We know, as well, the things that are happening in other areas: the low wages and the high turnover and the low-paid staff. We know that in some cases there have actually been higher costs as a result of the competitive bidding process. We understand that centralized needs assessments and waiting lists can be useful tools, but they can also become problematic if they are also providing direct funding to individuals, as I will discuss in just a little bit.

There are some serious problems with the act. They are so serious that it is unlikely that the act will actually improve accessibility, fairness and quality of service unless a number of things are done. The most important weakness in the bill is that it forces a direct funding system on people, even as we are uncertain what percentage of the affected population actually favours it or how many will benefit from it.

I do know that there are some families who want it. I see Bill and his family up there in the Speaker's gallery, who came to my office. We had quite a discussion about how well that system works for Bill and for his family. We know that. We know that the system can, in some cases, work very well and that there are those who advocate for it and often prefer it. But we also know that there are many people satisfied with the current regimen, satisfied with the care workers and the support groups that are out there and are doing, as I said before, yeoman service.

I am not sure at this stage whether the government has any statistics or records or anything other than anecdotal evidence of how many in the affected population actually favour going to a voucher or direct funding model.

There's also the problem that without increased funding to service agencies, an expansion of direct funding will reduce options and support for individuals and their families. The reason why this may happen is that people might take their loved ones out of one of the agencies and of course, then, the agency which is funded to look after those individuals will have the money dry up. It will either go to a different agency or it will go to individualized funding. You will find that many of the agencies may find themselves destabilized in the short term. Even in the long term, as people move from service to service, as needs change, as people change, you may find this happening as well.

I have three real concerns, just to get right down to them. I've got less than half my time left. I'd better hurry up.

First, the bill allows that the province can either provide funding for services through a community agency or through application centres for direct funding to an individual or family. We are concerned that this shift to direct funding to individuals will harm individuals with developmental disabilities and their families. The responsibility for securing, hiring, training, supervising and evaluating care providers will be offloaded onto families. I know there are capable families out there who can do all of that, who will be proud to do all of it and will do it brilliantly, but there are also many families who will not be capable of doing those things, will not be able to secure, hire, train, supervise and evaluate in the way that it will need to be done. We know that without adequate supports, the families will be unable to know what services and supports they need to realize the vision of a better life for family members with disabilities.

We are concerned about third party brokers who help families find appropriate services. I'm not sure exactly what the broker's role in all of this is. If the broker's role is to sit down and develop a life plan and to help the family accommodate and find the right mixture of workers and programs to help, then that may not be a bad thing. But if the broker's role is to simply say, "There's so much money available. This is what you might only get. You have options (a), (b) or (c), or maybe no options at all. We'll help you find a person to work for minimum wage to help your son or daughter. That's your option," I'm not sure the broker is going to be doing the service that we expect. So I need to hear more. I think that many people are a little wary about the role of the broker.

We're also wary about whether the broker will be an independent person or a government person, and how much money the broker will make out of this service. I don't deny people a decent living, but if they're taking money off the top that we are expecting to be spent for our people with disabilities, we need to know how much that is going to cost.

The bill outlines the responsibility of service agencies to employees to maintain certain standards of accountability and allows corrective action in the case of non-compliance. Ordinarily, we'd say that that's pretty good. However, there are no accountability mechanisms for third-party private service providers. These brokers will have an automatic cut off the top, as I suggested. What will stop them from simply funding the lowest bidder to provide services? What will stop them from doing that? I don't know. I hope that doesn't happen, but what will stop them from doing that?

Nor is there accountability for individuals receiving direct funding. Those receiving direct funding must submit receipts and reports on the care provided, but there is nothing in the bill to enforce accountability or ensure appropriate qualifications of caregivers. So it's okay for a family to turn around and say, "I gave Mary Smith \$15,000 or \$20,000 last year to look after my son." There is nothing in the bill that says Mary Smith had any of the qualifications necessary to do it. If the brokers are going to have a life plan, then the brokers should also be re-



quired to list those people who have the necessary qualifications, either through experience or education or a combination of both. I would like to see this included in the bill or in the regulations, something which is silent to date.

We worry too about direct funding causing or potentially causing the entire sector to become vulnerable to privatization and the lowest-common-denominator service provision. We've seen this before in the competitive bidding process in home care, and we're afraid that it may happen here. I don't know whether this is the intent, but I certainly hope not. We are very wary about a bill that does not actually speak to this issue. We hope that through the entire process, the minister and the staff can explain this to committee members and to the general public to assuage these fears.

1540

We know that wages in the developmental services sector are already 25% to 30% less than for comparable work in the health, education and municipal sectors. I've already talked about that, but I just want to reiterate it. They are having difficulty and are challenged to attract, train and retrain qualified staff.

Secondly, we are concerned that individualized budgeting will undermine agencies' abilities to plan and effectively deliver quality services and undermine the continuity of care. The agencies will be unable to rationally plan for service provision, and under this bill a needs assessment of each person with a developmental disability will be conducted and then a dollar value will be attached based on the service needs of that person. We think that may be the wrong way around, and we'd like to hear what comments, if any, the minister has on this.

The service agencies will then receive the funding that comes with that person for their service need. There is no provision, that we can see, for administrative or overhead costs. There is a potential serious erosion of infrastructure because it's not being funded. There is a piecemeal approach where there is no ability for long-term planning or growth. There is no measure similar to a minimum standard of care or mandated services. Individualized budgeting moves; agencies become vulnerable as clients move and take their funds with them. This is an unpredictability motion being set up. As people leave, go to different jurisdictions, have different needs or go to new agencies, you're going to see the agencies that have had the care, the control and the dollars that go with them lose out.

There are no economies of scale that we can see by doing this. We know that agencies, as they get larger, can sometimes do things and include more people for the same dollar amount, but we're not sure that this can happen with individualized funding, and we need to look at that.

Thirdly—and again I go back to the preamble—we need something in the bill, and I would suggest that it's the preamble, to convince us that accessibility to services will actually be improved. The bill talks about fairness, but fairness has to be a right to a decent level of care.

We need to do more than just make sure—start out assessing people and then determining what level of care they need. We need to make an assessment and determine the care and the provision of that care that will lift them to the highest level of which they are capable, so that the monies have to be spent not just to make sure they have an adequate level of care, which is sort of one-size-fits-all, but to take an individual and see that person as an individual and to determine what care provisions can be given, what training, what opportunities and what education can be given to lift them to the position that they can have the highest quality of life possible within Ontario.

That's the system that we need to make sure happens, not just saying, "You're going to get X number of dollars because of this particular disability." We have seen that in terms of budgeting for special meal allowances. We have seen people on ODSP who require a special meals allowance. Their disability, their disease or their condition has to be listed on a formulary and then they're given \$20 for this particular disease or \$15 for this disease or no dollars for this disease. Quite frankly, it simply doesn't work. I know that the government did it to try to save some money, but it doesn't work. What we should be looking at is what amount of money that a person with disabilities who needs a special meal allowance—how much money they need on a rational basis based on medical evidence to bring themselves to a level where they can be able to look after themselves. And we need to do the same thing here. It may not be a meal allowance, but we need to do the same thing here. What is the amount of money necessary to bring them to the appropriate level, not some kind of thing like, "You have this intellectual disability or you have this particular problem and therefore we're going to add an extra \$10, \$15 or \$20 to the formulary that you're going to get, or your care provider is going to get, at the end of the week."

There is a serious danger that some already in the system will lose services they are receiving. We think that because everyone with a developmental disability will be assessed, including those already receiving services, and since there is a goal of equalizing services for everyone with developmental disabilities, people may lose services they've already got.

It isn't clear whether any additional dollars are available for this program—I'm going to get to the money in a minute. I know that's a function at budget time, but I don't think there was anything I saw in the budget this year that leads me to expect there are going to be many dollars available. We know that we need some \$325 million just to get the 13,000 people off the waiting list, and that does not even include taking the people from the remaining three homes, if we are going to make sure that their quality of life does not deteriorate.

This is a huge amount of money, and we need to know it is actually there. We know that what may happen is that people may be forced to move out of their area and leave their loved ones and family behind in order to get services.



We're worried about the way that waiting lists are being enshrined in the legislation. There are actually provisions in there talking about a waiting list. I've never seen that before in a government bill. Maybe there are in some other bills; I don't ever remember seeing them. But this bill talks about waiting lists and what to do with waiting lists. You're actually enshrining in the four walls of this bill the fact that there will be a waiting list.

**Mr. Khalil Ramal:** We're reducing the waiting list.

**Mr. Michael Prue:** I hear the parliamentary assistant say they're going to reduce it, but the bill itself talks about waiting lists. I would envisage an Ontario where there is no waiting list, where people with developmental disabilities—people with disabilities—have an adequate opportunity for care, so that when they come forward and say, "This is the care that I require," then the care is provided.

Why should families have to wait three to five years—10 years, in some cases—to get care for loved ones? If there aren't sufficient monies for a direct payment system, why should they have to wait? This bill sets out that there are waiting lists and what to do with the waiting lists. I'm encouraged that you want to reduce them, but this is the first time I've ever seen a government bill that actually talks about a waiting list and enshrines it in legislation.

In summary, we have grave concerns that the bill will not actually deliver the support that people with developmental disabilities have a right to. It may create a system that is more flexible, but flexibility does not necessarily translate into fairness, accessibility and quality of care for all Ontarians. Indeed, some call for flexibility of health care to allow some individuals to jump the queue and buy private health care. That's also being set out there.

That would be a more flexible system, but most Ontarians and most Canadians oppose that because they see that it is not fair and that it would undermine the quality of care in the publicly funded health care system and reduce accessibility for those remaining in that system. The same would be true here. So I want us to very carefully look at the system that is being proposed, to make sure that the quality continues, that people are not allowed to jump the queue, that families have to go and get decent and trained providers and that families are given all the options.

I would just like to conclude, if I could—I've rambled on a little, but I want to be very succinct at the end about what we expect to see in this bill in order to support it. First, we support funding to close family members who provide care. Where members fall under categories defined—you can use whatever criteria you want, but I think the best one is the family medical leave act, where, if you are looking after a person who is disabled and are that person's spouse, parent, step-parent or foster parent, or you are the child, step-child or foster child, then you would have a right to family funding, so that if the family makes the conscious decision to care for the loved one at home, there should be some financial remuneration—not

a wage—made available to allow families to look after loved ones at home.

What the families would perhaps not have in terms of education or expertise, in terms of looking after an individual, they would certainly make up with love and certainly, if they want to be a whole family and to make sure that the children, the adults, the sibling or the spouse are looked after in a meaningful way, it could be done through an accommodation of giving some type of family allowance to allow a person to remain at home and look after that loved one. That is done in many jurisdictions around the world and certainly should be looked at here.

1550

I would also have the proviso that if a person perhaps is alone and does not have a spouse, a parent or child, if there is a close family member, they would be entitled as well. I don't want to open it too broadly because I see it open to abuse in the long term if it's open to just literally anyone. But certainly, a spouse, a parent or a child looking after a loved one should be allowed to do so with some remuneration.

Secondly, the NDP does not support direct funding, at least not as set out in this bill. We are against parents or family members taking on the responsibility of recruiting, hiring, training, monitoring and evaluating care providers or related duties. We feel that direct funding will not, in many of the cases, work.

Third, the NDP supports an increase of \$325 million over the current government's mandate to end waiting lists for developmental services. This is what the developmental services industry says is necessary and what we believe is necessary if this bill, in the fullness of fruition, is to work. The monies have to be made available to do it as well. It's no good passing a bill for which there is no more money, trying to do the same with less, just trying to do a little bit more by robbing Peter to pay Paul, having workers who are unionized and making \$17 an hour and then farming out that work at minimum wage through the provisions of this bill. We are looking for the government to be committed, along with the provisions of the bill, to spending some \$325 million over the current government's mandate. We've got three and a half years in which to spend it, which makes about \$100 million a year we expect to see in the next three budgets. What is paramount is the development of a sustainable, long-term funding framework to ensure that all Ontarians with developmental disabilities have continuous access to the supports and services they need.

Fourthly, the NDP supports improving wages and working conditions for all workers in the developmental service sector to be able to provide the best quality of care. This will involve closing the wage gap for developmental service sector workers and other social service sector counterparts. We need to support the development of measures to ensure fairness for independent developmental service workers, many of whom are among the lowest-paid care workers in this province. Certainly their job is vital and necessary, and ought to be compensated far more than it is being today.



Fifth, the NDP is opposed to merely attaching dollar amounts to individuals with a developmental disability through the assessment and individualized planning process, which would occur at the application centre. Instead, we want to see an assessment model focused on the equity of outcomes and the benefit to the individual in terms of quality of life and community involvement. Those are the keystones. That is what is important. If we are going to assist—I'm going to say it again—we want to see an assessment model focused on the equity of outcomes, the benefit to the individual in terms of quality of life and community involvement. If you don't have those, I don't know why we're adopting a bill and changing things, because that surely should be the goal.

Finally, we want to emphasize that there have to be broad-based public hearings on this bill. The hearings should address the bill itself but should also address the regulations. I heard from one of my Conservative colleagues earlier about all of the regulations that are subject only to ministerial prerogative. This is a huge bill. It was four inches thick when it was handed to me the other day. I know that the compendium made up a good portion of that, but that's all the other bills and acts on which this bill is going to impact. We need to make absolutely sure that there is broad public consultation on all aspects of this bill. There should also be discussion on a preamble, and I've talked about that at least four or five times. I just want to say one last time how important I believe that this is to this bill. A preamble will set out a goal by which everything else is judged. It will set out this government's and future governments' commitment to the people of this province who live with intellectual and other disabilities, so that people will know that everything that is contained within the body of the act has to be interpreted so that it is consistent with that goal, so that no bureaucrat, no judge, no parliamentarian and no one else can look at the bill and say that it says something other than what it is intended to do. A preamble would be essential.

I would ask the minister—it wouldn't take government lawyers very long to cobble together five or six or 10 sentences setting out that preamble at the beginning to ensure, for all time, that when people read the bill they can go back to the preamble and give it the broadest, most comprehensive and best interpretation. If that is done, that is going to help a lot.

We need much more than the consultations from the transformation strategy generated more than two years ago. We know that those were undertaken, but we're not sure that they are sufficient. The face of developmental services has changed rapidly in the last 50 years and, certainly, even more rapidly in the last 10.

Rigorous public hearings must be had to gauge the response, the feedback, and to strengthen the legislation that we hope will be progressive and responsive for at least the next 20 years. We agree that changes must be made to address the serious gaps in the provision of developmental services in this province. We fear, however, that this legislation will not do that.

I am asking the minister to assuage my fears and those of all of the families who are here today, to assuage the fears of the unions and the people who work in the sector, and to assuage the fears of families and people with developmental services who are afraid of what may happen. If we are to march forward into that brave new world that the minister talks about, into that place where we are going to do what we are capable of doing, where everyone will have a part, where every community person will have a say, where every community person will live amongst us and be respected, we need to make sure that we all start marching to the same drummer. We need to make sure that we are all happy to take that first step and to go there.

I am asking the minister, the parliamentary assistant and the government opposite to take the time. This is a big bill. It's a bill that cries out for public debate and public comment. I am asking you to take the time to set up the hearings across this province. They can be this summer. It could even be over the fall. I'm not sure what the government timetable is, but take the time to do that, to make sure that we have it right and to make sure that people with disabilities in this province—120,000 strong—in the end, are the big winners, the only winners and the real winners.

To Brian, whom I talked about in the beginning, who is coming back to our community and is very much a part of it; to Martin Levine, who has lived his very tough life and who has some very real questions about why his ODSP was clawed back when he got a very small inheritance when his parents died; to all of the hundreds and thousands of people who subsist on \$999 a month; to Bill, who was up there in the audience, who came to see me—and his family—about care and support and individualized funding: I ask that the government take the time to consider all of this. When the final decision is made, make sure it works for every one of those involved.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Jeff Leal:** I've really appreciated hearing the comments from the member from Beaches—East York and other colleagues, because this bill is very personal to me.

In February 1959, my younger brother was born. After two very healthy children, my younger brother, Ted, was born with Down's syndrome. So I appreciate all the challenges—the good days and the challenging days—that families go through with a sibling who has Down's syndrome.

We've gone through a period of time—I remember that when I was six or seven, people would refer to my younger brother as mentally retarded, a term that was always very difficult for me to comprehend. Then we went through a period of time when we referred to them as individuals with developmental handicaps, and today, of course, we use "individuals with intellectual disabilities." In post-war Ontario, we actually took people with intellectual disabilities and sent them to Oak Ridges, the facility at Penetanguishene, to house them with



individuals who were deemed to be criminally insane. We have moved forward over the last number of years, and I'm certainly delighted that this legislation is coming forward.

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Within a block of where I was raised in Peterborough, we had five families who all had either a son or a daughter with an intellectual disability. I remember around the kitchen table a discussion with my parents and my older brother about whether my younger brother, Ted, would perhaps go to Smiths Falls, D'Arcy Place in Cobourg or one of those other institutions. I always took great pride in my family's making the right decision to keep my brother in Peterborough, and went through a number of programs with community living. He experienced in those days the system of segregated education. But I'll get a chance to provide some more reflections as we work through this debate.

**Mrs. Christine Elliott:** I've listened very carefully to the comments that were made by the member from Beaches—East York and the member from Peterborough. Although we don't agree on all of the points with respect to this bill, I do think we all agree that we need to bring some compassion and humanity to this debate, and both of those members have done just that.

I would just like to comment on a few of the points that were made by the member from Beaches—East York indicating his concerns both with respect to the ODSP funding and the issues around inheritances being lost as a result of the clawbacks and so on, and also with respect to the issue of direct funding, and how family members will be able to deal with it and be able to put life into the hopes and dreams of their family members and make sure that they have a life full of dignity, living in the community.

I would say that this just points to the fact that this is not an easy issue. There are several significant issues that have to be dealt with here, both from the structural issues, the legal and estate planning issues that have to be dealt with to put a life plan in place for their family member, and also the social and human aspects about it. How do you build those circles of support around your loved one to make sure they are going to receive the support they need in the community and be cared for when perhaps you're not there anymore? They need to have people there who love them and care for them every bit as much.

I think what we have heard from family members, though—those family members who are able to step up and be involved in the individual life plans for their family members—is that they've already had significant success with special services at home. I have no doubt that if we're able to put things in place with this bill, they would be able to put those supports in place quite readily for their family members.

**Mr. Reza Moridi:** It's my pleasure to rise in this House and speak about Bill 77, the developmental services legislation. As I understand it, the current act, the Developmental Services Act, is 35 years old. I think it's time for us to look into this act, overhaul it quite sig-

nificantly and make it more updated to conform with the needs of Ontarians in the 21st century. I commend the minister for bringing the bill before this House.

As I heard speakers before me in this House and learned from their presentations, the current bill before us addresses three major points. One is improving the service, where it allows people to apply directly to the service and get the services they need. The bill also addresses choice. It increases choices for applicants, where applicants can receive funding which is tailored to their needs. It also addresses fairness, where the application form assessment is equal for everyone. And there's also priority for people who really need these services from the government.

Since our government took office in 2003, we have committed half a billion dollars to this service. This is a huge service. About 40,000 Ontarians every year receive services under this act, which costs the government \$1.57 billion a year. I think that what we are doing in this House is laying the foundation for the provision of this very-much-needed service to Ontarians for years to come. I commend the minister again for bringing this bill to the Legislature.

**M. Shafiq Qaadri:** Nous nous sommes engagés à répondre à ces besoins. Nous avons élaboré un plan de réorganisation global visant à rendre le système plus équitable, plus accessible et plus durable. Nous avons annoncé la fermeture des trois derniers foyers gouvernementaux pour les personnes ayant une déficience intellectuelle dès la fin de mars 2009 et nous nous sommes engagés à développer un plan d'action pour l'avenir—un plan réaliste, novateur et évolutif.

Si ce projet de loi est adopté, il nous permettra d'améliorer les services, car les personnes n'auront à s'inscrire qu'à un seul endroit pour obtenir des services, et d'offrir plus de choix, car les personnes pourraient recevoir des fonds directement et à la mesure de leurs besoins. Ce serait plus équitable car les personnes concernées utiliseraient la même trousse d'évaluation des besoins, et la priorité serait accordée aux personnes dont les besoins sont les plus grands.

I'm honoured to rise in the House today and comment on Bill 77 in reply to the member from Beaches—East York. I always appreciate his very sincere and, I would say, relatively non-partisan commentary today. I think that when it comes to the needs of the disabled, of those who are particularly special among us, we need to act with one voice in a show of unanimity for the support of Ontarians with special needs. I would encourage each of us to support Bill 77.

**The Acting Speaker (Ms. Andrea Horwath):** Response?

**Mr. Michael Prue:** I'd like to thank the members from Peterborough, Whitby—Oshawa, Richmond Hill and Etobicoke North for their comments today.

The member from Peterborough spoke. I'm not sure how much it related to what I had to say, but I did enjoy the comments, because again, they brought it down to family. We all have family or friends; we all know



people with intellectual disabilities. They live with us, they live amongst us and they are part of us. Your statement brought that all home, and I thank you for those comments.

The member from Whitby—Oshawa talked a little bit about the clawback, and it remains one of my passions to talk about that, in terms of people earning money and being allowed to keep it. Particularly, those with intellectual disabilities should be allowed to keep at least the amount of money they earn on top of their ODSP, up to the poverty line. Having an intellectual disability should never, in our society, be tantamount to living your entire life in poverty. We need to start looking at that. We need to start looking at making that accommodation without clawing that money back.

The member from Richmond Hill, I think—I'm not sure—read from a government-prepared text. I don't really think it had anything to do with what I had to say, so I'm going to skip that. But I thank him for his comments all the same.

I thank the member from Etobicoke North for his comments as well. I attempted, in this, to be as non-partisan as possible. We need to talk about this reasonably, rationally and realistically. There are concerns that have been voiced to me and, I'm sure, to all members of this House, about some provisions of the bill that people are not comfortable with or need further explanation of. I'm hoping that the minister takes this to heart, and that there are meaningful, long-term, comprehensive public discussions at the committee stage.

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**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Mr. Shafiq Qaadri:** I think, as many of my colleagues stated earlier, that it falls to each generation to upgrade pieces of legislation in order to serve Ontarians. As we've said earlier, the special Ontarians who are served by these particular pieces of legislation, programs and initiatives deserve our attention and care. I would commend the minister for bringing to bear her considerable expertise, wisdom and humanity to pieces of legislation that really have not seen full integration—bringing the light of day in terms of scrutiny and overhaul—in what seems something on the order of about 35 years. That's why I'm honoured to rise in this House on behalf of the government for our reading of Bill 77, the Services for Persons with Developmental Disabilities Act.

As legislators, we have to view the legislation in context. Our previous developmental services legislation spoke to a time when we supported people with a developmental disability primarily in provincial institutions. That, I think, deeply speaks to the heart of this legislation. Of course, as generationism unfolds, as medical, social and biological thinking evolves, a great deal has changed. Therefore, to keep in lockstep with the future, with our evolving thinking, the legislation itself must change. Clearly, our previous legislation does not address the realities of today. That's perhaps at the heart of what

Bill 77 is all about. As a responsive and responsible government, we have to change our legislation if we hope to stay in step with the times and with the new ways of thinking.

I can say, for example, that as the MPP, the member of provincial Parliament, not only for the great riding of Etobicoke North, but also as a physician in various contexts, having dealt with a number of special Ontarians, you can see the challenges that they experience, but on top of that, the care, love and humanity, day to day, that is administered to them by their families.

I think it's very apropos that the McGuinty government, as an institution, helps to bring that same level of care, humanity and trust to this particular sector. That's why we should all support this reading of Bill 77, because we support people with a developmental disability in communities, and not institutional care across Ontario.

Today we support people with developmental disabilities in homes. These individuals have as much right to live and contribute to the fabric of our communities as anyone else. In fact, if truth be told, our communities are stronger when we include all individuals, in particular those with special needs.

Aujourd'hui, nous aidons les personnes atteintes d'une déficience intellectuelle à vivre en société, dans toutes les collectivités de l'Ontario. Aujourd'hui, nous ne plaçons plus les personnes atteintes d'une déficience intellectuelle dans des établissements; nous les aidons à vivre dans les foyers.

Ces personnes ont tout autant le droit que les autres citoyens de participer et de contribuer à la vie de leur collectivité. En fait, nos collectivités sont d'autant plus fortes si elles font appel à tous leurs citoyens, quelles que soient leurs habiletés.

Our journey to where we are today in developmental services has been a gradual evolution, full of challenge, full of fury, full of intense debates on all sides. We have worked closely with our community partners who provide dedicated service and forward-thinking programs for people with a developmental disability. These partners know how important it is that people with a developmental disability have the opportunity to live their lives to the fullest that they are able.

As Premier McGuinty often shares with us in caucus meetings, part of the thread of the McGuinty vision since day one of our mandate, continuing into our many mandates to follow, is the idea of potentiating Ontarians, the idea of helping each and every one of us, in particular those of modest backgrounds, modest circumstances or with special needs, to reach their full potential in the many, many different spheres of life that we measure. It's with the passing of this particular proposed legislation, Bill 77, that we hopefully will move fully into the 21st century and show the communities that are affected, their families and of course our fellow Legislatures across Canada what it means to be accountable and sustainable.

But this piece of legislation is also about compassion for the individual, their families and friends, and for the community agencies that support them. Our proposed legislation is all about the future of developmental ser-



vices. Let me set the stage. We have, as you'll know, something on the order of about \$1.6 billion worth of developmental services in this system currently. This supports something in the order of about 40,000 individuals, as we've seen, many of whom we had the honour of hosting and welcoming today here at Queen's Park. Of course, that list continues to grow. We knew that we needed to make some very dramatic changes, and the best way was to consult deeply, widely and broadly. Families are telling us that they need an easier time getting help from the system and that they need assistance to negotiate some of the complexities involved. They need services and supports closer to their homes, not in segregated communities, not in institutionalized care that is spread disproportionately across the province.

Families are telling us that they need more choice, as well as flexibility, in the supports that they receive. As a physician in particular, I can tell you that needs vary according to the individual, tailored experience of each person and each family. For example, while a particular deficiency might be the same on paper, and the label may be the same and the society or group that they may belong to may be the same, each of these special Ontarians is exactly that: not only special in terms of their needs, but also special or unique and non-duplicable, and that's why we need to bring services to mind that are completely cognizant of these facts. That's why Bill 77, our proposed legislation, will hopefully respond to a number of these challenges and needs.

Les familles nous disent qu'elles veulent obtenir plus facilement de l'aide. Le système actuel est trop compliqué. Elles ont besoin de services et de soutien près de chez elles, pas dans des collectivités isolées et mal réparties sur le territoire ontarien.

Les familles nous disent aussi qu'elles souhaitent plus de choix et de latitude pour obtenir du soutien. Notre projet de loi permettrait de répondre à tous ces besoins.

If passed, this legislation, Bill 77, would lay the foundation for Ontario to build a new, more modern system of developmental services over the coming years and it would make the system sustainable for future generations, a real showcase or legacy of the McGuinty vision for Ontario.

There are a number of key features of the legislation. I'll address a number of them. First, we would—this is perhaps more cosmetic, but I think it has some deep, echoing implications on the ground—get rid of archaic terms such as “facility” and “institution.” The three remaining facilities in Ontario in fact are set to close, as you'll know, by March 2009, and therefore that language, like the thinking that went into the creation of that language, will be obsolete, as will those particular former “institutions.” Second, we want to create application centres for access to developmental services across the province. Staff at these centres would be trained consistently across the province and have the tools they need to help families through the application and assessment process. As you can imagine, dealing with the government on such personal, emotional and urgent needs can

be a challenge and a daunting process at the best of times. Therefore, I would once again commend the minister for bringing expertise to this area to help facilitate these opportunities for accessing care and ongoing monitoring.

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For example, setting up application centres would mean that families and individuals would only need to go to one place to apply for supports, instead of having to tell their stories over and over at several individual agencies. Of course, this is part of the streamlining and integration of services, perhaps another thread that is running through the McGuinty vision from top to bottom.

We also want people to have more choice and flexibility in purchasing supports that are tailored to their specific and individualized needs. We want to provide funding through community agencies or through application centres for direct funding. We also want to get a better handle on service planning. That's why we should actually start collecting information from individuals in application centres to improve service planning throughout the province. Without careful planning, forecasting future service needs and changes is challenging and difficult. And because we're in a time when families and individuals have more say in where they will live and how they will live, we want to give them greater peace of mind. We can do this by introducing accountability requirements for agencies, individuals and families who would receive direct funding. Requirements that would include provisions to allow us to take corrective action against agencies or application centres will of course also be included, because that is the opportunity or the mechanism of accountability, how we can actually redress any other areas of concern that may arise.

For example, there are from time to time, through families and other agencies and well-wishers, concerns about health and safety or financial administration. If taken together, the elements of this proposed legislation will serve us well into the future. This legislation would allow this government and future governments the latitude needed to build and maintain a modern system of developmental services.

As has been stated repeatedly in this House, we have come a long way, but it falls to each generation to take up the torch and to move legislation forward. I think Bill 77 is incorporating the best thinking and the best practices in this area. There is an extraordinary need out there, as I mentioned earlier, registering something in the order of about \$1.6 billion in program funding and something in the order of 40,000 individuals currently being served, and of course, the list—with the services, finances and resources—continues to grow. That's why I think it is time for us as provincial legislators here in the province of Ontario, showing leadership across to other Legislatures in Canada, to come together and take our developmental services system to the next level.

We've worked hard to make sure our bill would give us the legislative framework we need to support all the



various initiatives and programs that we pledged in 2004 when we first announced plans to transform the developmental services system. We have worked hard as a government, under a McGuinty vision, and we have worked hard as a partner with families and agencies and individuals who work and provide care, love and humanity to these special Ontarians.

Il est temps pour nous, les législateurs de cette province, d'unir nos forces pour faire entrer notre système de services aux personnes ayant une déficience intellectuelle dans l'ère nouvelle. Nous avons travaillé fort à ce projet de loi afin de nous doter du cadre législatif nécessaire pour poursuivre ce que nous avons entrepris en 2004, lorsque nous avons annoncé notre plan de réorganisation des services aux personnes ayant une déficience intellectuelle. Nous avons travaillé fort, en tant que gouvernement et en tant que partenaires des familles, des bénéficiaires et des organismes, pour élaborer ce projet de loi.

I encourage all members of this House and the people of Ontario to support this legislation. Let's move forward and pass this bill, which will hopefully help the many special Ontarians who deserve our care, regard and humanity.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Khalil Ramal:** I was listening to my colleague from Etobicoke North speak, eloquently describing the essence of the bill. It was an incredible speech, and I was listening to him carefully.

It is important to keep reminding the people of this province about this issue and how we are going to tackle this issue. I think the member from Etobicoke North spoke in detail about how the government has opened the act after 35 years and is trying to modernize the act in order to serve people with intellectual disabilities. As I have mentioned many different times, this issue is dear to my heart because I work closely with people with intellectual disabilities in both settings—group homes, and also a facility.

I think it's important for us and it's important for the government to open it up and give choices to the people, to the families and to the individuals who want to choose a funding method or a service, if they wish to do so. It is important to give flexibility to the people, because they have a right to have choices, and also to give a right to the family to be close to their loved ones. As you know, in the past, they were shipped to different facilities across the province of Ontario, far away from their parents, from their loved ones. This bill will allow them to live closely and also to purchase a service the family thinks is important to the members of their family and which also can benefit them well.

It's important, and I want to commend the member from Etobicoke North for detailing the vision of this bill. I hope all the members of this House will support it, because it's important for us. I also hope this bill will go to committee, and we'll listen to many different people from across the province of Ontario, because always,

when you listen to people, you enlighten yourself and create more incentive for us to keep proceeding forward.

**Mrs. Amrit Mangat:** It is my pleasure to rise today in support of Bill 77.

The key word in this debate is "communities." Whereas in the past most of our support went towards institutions, which in many ways isolated those with disabilities, Bill 77 will provide Ontarians with disabilities more choice and control over the support they receive, which will ultimately allow them to live independently throughout communities across all Ontario.

I would like to recognize everyone at Community Living Mississauga for all of the tremendous work they do in my riding of Mississauga-Brampton South. This is a group made up of so many dedicated people, including president Mike Pawelchuk, past president Bonnie Yagar and an army of devoted volunteers. Ms. Yagar, I should point out, was recently presented with the Gordon S. Shipp Memorial Award, recognizing her as Mississauga's Citizen of the Year.

I am proud to be a part of a government that recognizes the tremendous value that every Ontarian can make to their community. Bill 77 will allow for people with disabilities to live in and, at the same time, contribute to their communities across the province. That, we will all benefit from. I am proud to rise today to support Bill 77.

**The Acting Speaker (Ms. Andrea Horwath):** The member for Etobicoke North for a response.

**Mr. Shafiq Qaadri:** I'd like to acknowledge my honourable colleague from London-Fanshawe of the class of 2003—the honourable Dr. Khalil Ramal—as well as the MPP for Mississauga-Brampton South, from the class of 2007. I think they've also lent their support and their very strong remarks on what Bill 77, regarding developmental services, is seeking to do.

Ultimately, I think we are here as part of the McGuinty government—the McGuinty vision—as I said earlier, to help all Ontarians and, in particular, special Ontarians to reach their potential, to not offer excessive obstacles and obstructions to their seeking care and programs and initiatives. As you know, when you have such a diverse group of programming—something on the order of about \$1.6 billion serving some 40,000 individuals and counting, the number rising as we speak—across the province, it can become unwieldy and a challenge to navigate such a massive matrix of programming. So the minister's efforts to actually consolidate this—to allow one-stop shopping, to allow a more easy access to all the various programs, particularly for individuals who themselves may have difficulty navigating at the best of times—is something that should be commended.

As well, we talked a little bit about some of the perhaps symbolic removal of the naming of institutions and facilities in turning them into homes. I think that's also part of a larger humanity that this bill speaks to: that these are individuals who deserve our care, our love and our trust. That's why, with other members of the Legislature, I strongly support Bill 77.



**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

*Second reading debate deemed adjourned.*

**Mr. Norman W. Sterling:** Madam Speaker, I understand there was agreement that the House would adjourn at 4:30, so I move adjournment of the House.

**The Acting Speaker (Ms. Andrea Horwath):** Is it the pleasure of the members that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

I believe the ayes have it.

Call in the members; there will be a 30-minute bell.

*The division bells rang from 1632 to 1638.*

**The Acting Speaker (Ms. Andrea Horwath):** Mr. Sterling has moved adjournment of the House. All those in favour, please rise and remain standing.

All those opposed, please rise and remain standing.

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 28; the nays are 0.

**The Acting Speaker (Ms. Andrea Horwath):** I declare the motion carried.

The House will now stand adjourned until tomorrow morning, Tuesday, May 27.

*The House adjourned at 1638.*

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**Assemblée législative  
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Première session, 39<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Tuesday 27 May 2008**

**Mardi 27 mai 2008**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller



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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 27 May 2008

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 27 mai 2008

*The House met at 0900.*

*Prayers.*

### ORDERS OF THE DAY

#### SMOKE-FREE ONTARIO AMENDMENT ACT, 2008

#### LOI DE 2008 MODIFIANT LA LOI FAVORISANT UN ONTARIO SANS FUMÉE

Resuming the debate adjourned on May 14, 2008, on the motion for second reading of Bill 69, An Act to protect children from second-hand tobacco smoke in motor vehicles by amending the Smoke-Free Ontario Act / Projet de loi 69, Loi modifiant la Loi favorisant un Ontario sans fumée pour protéger les enfants contre le tabagisme passif dans les véhicules automobiles.

**The Speaker (Hon. Steve Peters):** Further debate?

**Mr. John Yakabuski:** If I could get a couple glasses of water—I wasn't expecting it this early.

It's a pleasure to join the debate on Bill 69, the Smoke-Free Ontario Amendment Act, this morning. You've already heard from a number of our speakers, including our critic for health promotion, Laurie Scott, who spoke for an hour on this bill. I congratulate her for being able to speak on this bill for an hour because, like so much of the legislation that is being brought forward by this government, there's not a lot to the bill. But we are required to debate legislation. It would be nice if the legislation we were debating in this House these days dealt with the single most important issue of the day, and that is the economy. But the government does not want to talk about the economy. They don't want to talk about the economy at all. In fact, this morning—Mr. Speaker, I'm going to get to the bill in a very short second here—the Premier is doing a 180 and wants to talk about John O'Toole's bill on cellphones. So today we're talking about David Orazietti's bill, the member from Sault Ste. Marie, and also Liz Witmer's, who was a big proponent, as our health critic, of bringing forth anti-smoking or prohibitive smoking legislation for cars being occupied by children under the age of 16 years.

It's not a difficult issue. Goodness gracious; we all know how damaging smoking is. We all know about the number of dangerous and toxic chemicals in a cigarette. Some people have been smoking for many years; they're addicted to it. And many of them are working to get off

it. I certainly congratulate my friend the member for Durham, who in the last few months has kicked the habit himself—and he's not a young man. I won't give you his age, but—he's not getting a pension from here, but I think he's getting one from somewhere. I give him credit for kicking the habit at this stage, because he recognized that smoking wasn't doing him any good, or anybody else any good either.

Do we want smoking in cars with children under the age of 16? No, of course not. We support that legislation. We don't support many of the things that this government is doing. We don't support many of the things in many of the bills that we actually support. But this is so full of contradictions. I have no objection to the Minister of Health Promotion; she seems like a very charming lady. But she is in over her head on this one. She's going to ban smoking in cars—that's a great idea—with children under the age of 16. But you know all those dangerous chemicals I was talking about, all those dangerous chemicals in a cigarette? We've identified them all. We know they're there. So when you go into the corner store or the convenience store, or wherever, and pick up that pack of cigarettes, we know what those cigarettes contain. They contain many dangerous substances and chemicals. Some are addictive and some are simply toxic at different levels.

But do you know what? All of those cigarettes—about a third of the cigarettes consumed in this province today—that are coming illegally through First Nations reserves contain all of those chemicals, and maybe some we're not even aware of, too, because we have no control over the manufacture or distribution of those cigarettes.

So what does the Premier, and this is where I say the Minister of Health Promotion—do you know what? I think if she had her way, she'd probably be doing something about that. But we know that everything runs through the corner office on the second floor. No decisions are made in that caucus, in that cabinet, in that party, except by the king himself, King Dalton. He runs the show. And he's telling those people, he's telling the Minister of Health Promotion and he's telling all of these backbenchers over here—well, the few of them who are dutifully here for their 9 o'clock appointments: "This is what you're going to do in my Liberal Party, in my Liberal government. You're not going to say anything negative. You're not going to say that the government isn't doing something it should be doing when it comes to attacking and dealing with illegal contraband tobacco being filtered through First Nations. No, no, we don't touch that. We don't touch that in Ontario."



What's regrettable about that is that it sets two standards. It says on the one hand that law-abiding, taxpaying businesses are losing revenue because tobacco, even though it's a bad substance, currently is a legal substance. I want to clarify that. If I say it too fast it might sound like I'm saying it's an illegal substance. It's a legal substance. Those legitimate businesses are losing money hand over fist. I talk to people in my riding all the time whose cigarette sales are way down. Oh, and by the way, you used to hear the Minister of Health Promotion and the former Minister of Health Promotion, who is now the Minister of Municipal Affairs and Housing, jumping up and saying, "The McGuinty anti-smoking strategy is working well in Ontario. We're seeing huge drops in the number of people who are smoking in this province." That's not happening at all, and they know it. What is happening is, instead of people buying those cigarettes at a legal, law-abiding business, they're buying illegal cigarettes filtered through the First Nations reserves, with no taxes attached to them. I talk to folks in my riding, and they buy them by the garbage bag. I guess that's going green: Go get a green garbage bag full of cigarettes off the reserve; maybe that is going green. Maybe that's the new McGuinty green plan. They paid a little over a dollar, around a dollar, for a pack of 20 cigarettes.

When I talk to these tobacco enforcement people, do you know what they say? "You watch out, mister. If you're buying those illegal cigarettes, we're going to get you. We're going to put the hammer down on you." But they're not going to deal with the source: "No, no, we're not going to touch that at all."

0910

I don't absolve the federal government on this one either. Enforcement of tobacco laws is both provincial and federal, and we need to do more to ensure that those illegal cigarettes are not being distributed on First Nations. We've got a problem on First Nations. If we're not offering them reasonable opportunities to better their own lives and we don't negotiate in good faith on many of the issues that are important to them, and should be important to us, the argument may be made that we're forcing them into these corners. That's a fair argument but that doesn't justify breaking the law. That doesn't justify illegal acts.

When it came to the war on drugs, or the so-called war on drugs, one of the things we always said was, "We are going to attack the source." Government said, "We want to get to the source." The RCMP and police forces said, "We want to get to the source. We want to get to the people who are selling these drugs to our young people. That's how we're going to deal with the war on drugs."

Alas, when it comes to the war on tobacco, no such policy. They don't want to talk about it. They don't want to talk about it because they don't want to deal with the real issue, which is illegal tobacco. That's the real issue.

What are we going to do if we catch somebody smoking in a car with an infant? It's the wrong thing to do, absolutely the wrong thing to do. There's no justification for it. But are we going to see if they're smoking

illegal cigarettes? And if they are smoking illegal cigarettes, is part of that investigation going to be, "Okay, let's find out where those cigarettes came from, because we're going to nip this in the bud. We're going to get at the source"? No, no, nay, not so. That won't be happening—inconsistencies in this government's anti-tobacco strategy.

If you're going to play the game, if you're going to attack what we know is a substance that is harmful, then you've got to attack it from all sides. You can't pick and choose. You can't say, "We're going after the legitimate business owner because he's an easy target, but we're not going to go after First Nations reserves because we don't want to inflame the situation."

We have a lot of things that we need to do with First Nations reserves and First Nations peoples. There are a lot of injustices that we've got to make up for, but failing to enforce laws and turning a blind eye to the breaking of laws is not the right message to them and it is not the right message to everyone else here in this province or in this country.

Another one of the terrible inconsistencies—did you ever hear of Gator Ted's? Gator Ted's is a bar down in Burlington. Gator Ted's was periodically, and I think regularly, visited by a gentleman who had a medical exemption to smoke marijuana. Now, regardless of your views on marijuana, and certainly views are changing—

**The Acting Speaker (Mr. Ted Arnott):** I'm very sorry to interrupt the member, but take your seat, please. I'm just inquiring as to how this relates to the bill at hand, the bill that's before the House.

**Mr. John Yakabuski:** Can I answer that, Mr. Speaker?

**The Acting Speaker (Mr. Ted Arnott):** Absolutely.

**Mr. John Yakabuski:** It certainly relates to the bill at hand because this bill is about the protection of children. What I'm talking about is the protection of children from tobacco or any other substances in the air that could affect their health. I'd like a little bit of latitude on that because I think this is important. Continue?

**The Acting Speaker (Mr. Ted Arnott):** Yes.

**Mr. John Yakabuski:** Thank you very much, Mr. Speaker.

So let's talk about Gator Ted's. Gator Ted's asked that this man not be allowed to smoke marijuana where he wouldn't be allowed to smoke tobacco. As you know, in Bill 40, or whatever bill it was there a couple years ago, tobacco smoking in public places was banned, including in bars and restaurants. You had to go outside to have a cigarette. Well, in Dalton McGuinty's Ontario, you can go outside and have a joint providing you've got this medical exemption.

I'm a little biased, I'm the first one to admit that, but I think these medical exemptions for marijuana started getting handed out like Smarties at a point, because once one person got one, the next person said, "Well, I need marijuana." They just started handing them out like they were coming out of Cracker Jacks. So this guy has an exemption to smoke marijuana and now he's smoking it



outside of Gator Ted's. How do you think you feel, as another individual, if you can't walk into Gator Ted's without going through a cloud of marijuana smoke but you can't smoke a cigarette where this guy can smoke marijuana? Kind of strange, isn't it?

I don't expect you to answer that, Mr. Speaker. You're impartial in these debates, I understand that, but you really have to ask yourself, "What are we thinking?"

My colleague from Burlington, Joyce Savoline, brought in a private member's bill that would have compelled this government to treat the smoking of marijuana exactly the same, from the point of view of prohibitions, as smoking tobacco. So this person would have been banned from smoking marijuana where he could not have smoked tobacco. They voted it down. They don't want to deal with significant, serious issues with regards to rights and health.

So what's the easy thing to do? "Well, let's bring in a smoking-in-cars bill. Who's going to be against it? We may feel that it's a little bit soft, but nobody's going to be standing up and ranting against it." We know that if nobody smokes in cars, our children, our grandchildren are much better off than if they do smoke in cars. There's no argument there. There's not a single person in here who's going to argue that people aren't better off if they're not subjected to the fumes and the second-hand smoke of other people. We have to certainly question the judgment of a parent, or the custodian or guardian of a child, who would smoke in their car. You really have to question their judgment. There's enough information out there to conclude that that is not good for the child, so why would we be doing it?

Children, of course, have no say in the matter. They don't get to decide whether that person driving the car or an adult passenger in the car—they don't get to decide if that person smokes. So it is incumbent upon that person to make that decision. Not respecting whether we have a law or not, that decision should be a no.

The fact that we will have a law—and I will concede this—I think does give some strength to anyone who is observing someone who is smoking in a car with a child. You're not only doing something that we believe is wrong, you will now be doing something that is against the law. I think that is a good part of this legislation. They will now be doing something that John Q. Public knows is against the law. I think it gives people a little more comfort in maybe just saying, not in a confrontational way but in a polite way, "Excuse me,"—if you're at a stoplight or something, tap, tap, tap—"you're smoking in the car. That's against the law and that's bad for your children. Don't do that." Maybe not many people would do that, but I believe there will be some.

We certainly know about the dangers of second-hand smoke. Studies have shown—and I know my colleague, Laurie Scott, was talking about it in her address—that second-hand smoke is 23 times as toxic in a confined space like a car. Again, this speaks to what I'm saying. There's no argument. There's no debate about the importance and the righteousness of not smoking in a car

where there are children. But this is, quite frankly, another one of the Premier's favourite ways of dealing with things. It's number two. His first is to deny. Number one, deny; number two, deflect. So this is number two; this is deflect. So if we bring in a piece of legislation that is going to tie up the Legislature and is going to put some ink on the newspaper, that's deflecting. That's what he's doing here. He's doing it again today because he doesn't want to talk about the economy.

**0920**

I was speaking to a gentleman last night who was telling me there are about 1,300 fishing lodges in this province. Almost all of them are for sale because they can't attract US tourists here. They're for sale or they're in trouble. Does Mr. McGuinty want to talk about that? No. Do you know what he wants to talk about today? He wants to talk about John O'Toole's private member's bill from the past about banning cellphones in cars. Just a few months ago, Premier McGuinty said, "No, we're not going down that road. Absolutely not. That's not for us. We can't control everything." But he's concluding that that's exactly what he wants to do. He wants to control everything, and what he really wants to control is what you're reading in the newspapers or what you're watching on the television. That's what he wants to control. How do you do that? You deflect away from the issues that matter and you bring these other issues out on the floor—cellphone bans.

Listen, I recognized and I supported John O'Toole on his private member's bill. That was three years ago. What's the problem? He said no way then, but do you know what? The economy was pretty good then. He didn't want to deflect anybody away from the economy with a cellphone ban. He wanted to talk about how things were going in Ontario. Well, times have changed. Things are not going so well in Ontario. All of a sudden, "Oh, no. We can't talk about the economy. We've got pressing issues here. People of Ontario, we've got pressing issues. We've got to ban cellphones and GPSs and BlackBerries and everything else. And watch out, don't be putting your makeup on anymore in the car, ladies. You're going to be in trouble." That's what the Premier wants you to think about. He doesn't want you to think about the economy. Mr. Deflecto is up to his old tricks.

Unfortunately, I'm out of time, but it's been fun.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Cheri DiNovo:** It's always a pleasure to listen to the member from Renfrew–Nipissing–Pembroke.

I look forward to speaking at length on this bill, but suffice to say for now, some words from Shakespeare come to mind, from Hamlet: a lot of sound and fury, signifying—in the original—nothing, and in this particular instance, not much. So I'm looking forward to speaking about this bill.

We in the New Democratic Party will be voting for it. It's an inch where we need a mile, like so much of the Liberal government's legislation. I think my colleague here from Renfrew–Nipissing–Pembroke said it best, that



this is a deflection manoeuvre, as is much of the legislation that we've dealt with for this entire year, in fact. It hasn't been much of a year. I think we only sat a couple of weeks in the fall and we're sitting just a couple of months in the spring—so again, a government that doesn't want to work much and doesn't want to bring in anything substantive. Suffice to say, this is a way of protecting children, and insofar as it is, we in the NDP will support it.

Problems with the bill, of course, are myriad. Number one, the problem is that you're dealing with an addictive substance. We've seen over and over again that fining, particularly a \$250 fine for an addict, isn't going to stop the addiction.

Number two, enforcement: I find it highly improbable that our overworked police force, our much-beleaguered police force, is going to be pulling over cars because they see somebody smoking in them, when they don't have enough police on the roads to pull over cars that are speeding, that are driving while under the influence of alcohol etc. So again, there's a serious problem of enforcement.

We know that the way to deal with someone who has an addiction issue is not through enforcement anyway. It's through education, prevention and harm reduction, which I'll talk about at some length.

It's interesting to note that Ontario does not have a drug strategy. Toronto has one, but Ontario does not have one. We in Parkdale are actually trying to develop a template, the Parkdale drug strategy, something that perhaps the provincial government might want to look at and adopt, because certainly this should be part of an overarching educational and prevention response to addiction. I look forward to speaking more to this.

**Mr. John O'Toole:** I couldn't resist the opportunity to get up and compliment the member from Renfrew–Nipissing–Pembroke. I think he had it perfectly right. We are in support of this bill. In fact, I don't think anyone in the Legislature would agree with allowing anyone to smoke in an automobile with young children, if at all. That's the question: Does it go far enough?

My good friend the member from Renfrew–Nipissing–Pembroke said that the Premier wants to talk about these sorts of harmless little issues, harmless to the extent that legislatively we all kind of agree with it. It's not controversial. Underneath all that—he's right—the economy is in absolute turmoil. It is frightening, actually, but it's like the duck sailing along on top of the water while the feet are going like mad underneath the water. That's really what's happening.

So we should listen to the member from Renfrew–Nipissing–Pembroke and his overall assessment of the dangers of smoking on the one hand, and some of the legislative issues, whether it's the elimination of the Lord's Prayer—I hadn't had too many phone calls on that before the Premier introduced it. Now I'm getting all kinds of phone calls. Many people who aren't even churchgoing people ask why we are dealing with this. They've just laid off 900 at General Motors. Why aren't

we dealing with substantive issues instead of these rather harmless sorts of issues, non-interventionist kinds of things?

But I think we're all on track on this bill here, that we want to make sure our environment is safe for our children. I say that with the new group of pages here. Hopefully, they're able to listen to some substantive debate on something that's really about making their lives better.

So I'm going to wait for the member from Renfrew–Nipissing–Pembroke to make a concluding remark. Maybe he will mention the ban on cellphones. This could be a good start.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

I'm pleased to return to the member for Renfrew–Nipissing–Pembroke for two minutes in reply.

**Mr. John Yakabuski:** I want to thank the member from Parkdale–High Park for her comments, as well as the member for Durham. Apparently all of the Liberal members agree with what we said, so they chose not to respond. I appreciate their support for my comments. That's refreshing, and it's good to see some improvements over on that side of the House.

Let's conclude with a couple of important points. First is the importance of enforcing laws and treating tobacco equally across this province, whether it's sold in legal smoke shops or in illegal ways. Whether it's the illegal smoke shop on government land on Argyle Street in Caledonia, or filtering illegal cigarettes through First Nations reserves, we have to deal with that. That is important. That is a crucial part of an anti-tobacco strategy in the province of Ontario.

Let's also talk about why this bill is before us, the real truth. It's because this government wants to deflect. It does not want to talk about the real issues. It doesn't want to talk about its failures to deal with the economy in 2008 in the province of Ontario. Everywhere you go, you're hearing analysts say that this province is in trouble. And what does Dalton McGuinty do? He puts blinders on and says: "You know what? I've got some important stuff for you, ladies and gentlemen. I've got some real important stuff." Now that the smoking bill is winding down, "Hey, let's go with cellphones." What's next? What is he going to bring up next?

Our party put forth a very good idea with regard to economic stimulus in the province of Ontario: helping our tourism industry that is suffering under Dalton McGuinty. What do they do? They pooh-pooh the whole thing. They're not interested. They would rather put their heads in the sand like a group of ostriches and not face the real challenge here in Ontario, which is the economy. Get on with it.

**Ms. Cheri DiNovo:** Listening to the member from Renfrew–Nipissing–Pembroke is better than coffee in the morning.

It's a pleasure to speak to this bill. As I said in my two-minute hit, it's a lot of sound and fury, signifying not much. Certainly, we support it. How could one not sup-



port it? We're talking about the health of children and we're talking about something that's incredibly dangerous for children. In fact, one of the interesting facts that came through our research is that second-hand smoke is absorbed into car furnishings and later off-gassed, and that the stale smoke is more toxic than fresh cigarette smoke. I didn't know that, and I'm sure a lot of those watching from home didn't know that, but that's in fact the case, that second-hand smoke is extremely deadly and toxic. The smaller the lungs—in this case, of children—the more deadly and toxic it is. There's no contention there and there's no contention that someone who is addicted to the point that they can't stop smoking with their own or someone else's children in the car is an addict indeed. That's where I'd like to start.

0930

Certainly, we could start by looking at the overall health of children in the province of Ontario in 2008. I'm unhappy to say that that overall health is in a sorry state, mainly because of the poverty levels of children. We have one in six children in the province living in poverty, and 41% of those children who are living in poverty come from families who are working full-time. We know what poverty means. Poverty means you don't get fresh fruits; you don't get vegetables. Poverty means a host of risk factors to one's health. If this government were really serious about protecting the health of children, they would make some pretty simple but substantive moves: raising the minimum wage above the poverty line, building some housing, which hasn't been done in this province in at least a decade, and a host of other manoeuvres that are fairly cost-effective because they're saving money from future health costs and putting it into the present, which is truly health promotion. This is a health promotion bill. If you were serious about promoting the health of our children, we would be looking at poverty rates among children first and foremost.

Another very simple act that this government could do is to keep our pools open. That's about \$12 million a year in the GTA. We're closing pools. This is a valuable community resource. It keeps children healthy because it keeps them from getting obese. Again, it keeps them fitter so that we save health costs down the road. But we know that where there's a budget for \$40 billion for health care and a budget of some few hundred million for health promotion, clearly the priority of this government is not health promotion, despite what this bill pretends; it's patching people up at the other end.

To get back to this bill and the fact that somebody who would light up in a car with their child is an addict indeed, and despite the fact that tobacco is a legal drug, it is still a drug. I remember when I was in ministry, dealing with a number of people who had crack and heroin addictions, many of whom said that it was as difficult to give up smoking as it was to give up crack or heroin. That's how addictive this substance is.

I want to draw an analogy here, and that is to a woman who's pregnant and smoking. Surely a pregnant woman smoking is a danger to her child—there's no question. I

don't think anybody in this House would question that fact. The question is, how do you protect the child? Is the best way of protecting the child of that mother to fine the mother \$250? That's essentially what this bill is doing. It's saying that if the police—and "if" is a big "if" here. If the police, who are overworked, who are still waiting for that promised 1,000 police officers of Dalton McGuinty to trickle down to their force in their precinct and in their riding, for some reason have nothing better to do with their time than to pull somebody over because they see them smoking in a car, pull them over and know that there's a child in the backseat, do we really think a \$250 fine is going to deter an addict, an addict to the level that they'd endanger their own child? Do we really think that a pregnant mother smoking would be deterred by a \$250 fine?

I think we would all agree this is absurd. This is not the way you deal with addiction. In fact, in other jurisdictions where they have brought in legislation ahead of this—for example, in Nova Scotia—the focus has been way more on public awareness and education, and only with tickets and fines as a very last resort. It's a very last resort.

Here you have a government that's not interested in what the Toronto drug strategy has outlined as a drug strategy. It's four-fold; there are four legs to it: (1) prevention, (2) harm reduction, (3) treatment, and (4) enforcement. Only one quarter of that strategy is law enforcement. Three quarters of it are prevention, harm reduction and treatment.

It's the same with smoking. I don't know of a smoker who has ever quit smoking because they've been fined, but I know of a number of smokers who've quit smoking because they have been educated, because they have read an article or they've seen the effects of smoking on their own health or on others' health. They know, because they've been informed, that one out of two smokers will probably die from their addiction. One out of two: That's a pretty high death rate. Smokers stop smoking not because they're fined, not because they're arrested, but because they're educated, because, in the best of all possible circumstances, they're prevented from smoking in the very first place.

A particular aspect of anti-smoking measures that bothers me is that one of the most potent inducements for our youth to start smoking is that it's still seen as a kind of rebellion against authority. This is how the large tobacco manufacturers marketed nicotine in the first place—you know, James Dean. It was the cool thing to do. It was the thing you did when you wanted to flout authority. It made you a rebel in some way, shape or form. In fact, in their wicked ingeniousness, the large tobacco manufacturers marketed to women using feminism. You remember the Virginia Slims campaign: You can be independent, you can be just like a man, you can be liberated if you only light up.

Those same inducements are at work. They're just a little bit more subtle now—not much, just a little. Now the inducements are through major media. I watch



movies, as we all do, and I see people smoking in movies, coming out of both Hollywood and Canada, more often than I do in public now. We know that the hand of the large tobacco manufacturing agents is behind those movies. They're supporting them, they're sponsoring them. That's why, when you see a movie star light up on the screen, it undoes hundreds of millions of dollars worth of campaigning by governments, because our children see that. They see it looks cool, and they see that, hey, it's still a way of rebelling against authority. Of course, kids are immortal; we've all been through that period of our lives when we don't think about death or health effects very much. So they see this as a cool thing to do because the media tells them it is a cool thing to do.

If this government was serious about actually affecting smoking rates in this province, instead of this bill, or along with this bill, what they'd be doing is something like affecting the film tax credit for films made in the province. We give a lot of money out to films. We should demand in return for that money that these films do not promote smoking. They promote smoking if there are people smoking in the film, because, quite frankly, why does one need to smoke in the movies? Is it inherent in the plot? Is it inherent in the character of the person being played? I don't think so. I think this is the tobacco giants behind the film industry. So there's something you can do, just a suggestion. That would be substantive. That would be gutsy. That would be courageous.

We don't have a courageous, gutsy government here in the government of Dalton McGuinty. We have a government that's treading water, that's making small, incremental steps—steps that can't be opposed by anybody—instead of doing the courageous gutsy work that really is needed to both keep our children healthy and to keep our province healthy.

When you talk about the environment, we're talking about a toxic environment. Our children are growing up in this city in a toxic environment. Every day that they walk to school and then come home, they're breathing in toxins. We know, by bio-mentoring studies, that most of us have breathed in toxic amounts of chemicals. They're in our bloodstreams. They're in our systems. They cause cancer. We know this. Why don't we do anything about it?

0940

Here's something we could do about it. We know, for example, that coal-fired plants are bad for the environment. This is a government that promised to close coal-fired plants in 2007—now we hear it will be 2011, perhaps. That's one thing they could do. As I said at the outset, they could affect child poverty rates, because that would give children more nutrition. In a much ballyhooed move, this government added some money to the nutrition programs in schools. Guess what that amounts to? That's \$1 a week. Now, \$1 a week is not going to make much difference to a poor child in terms of nutrition. That's that incremental, treading-water kind of Dalton McGuinty move. That's not courageous and that's not gutsy; that's sound and fury signifying not very much

indeed, which is what this entire legislative year has been full of.

The only substantive legislation that has really come through this year is Bill 35, the slush fund bill, which was an excuse to give money to their friends. It was again ballyhooed as something that was going to be good for municipalities and infrastructure. Neither of those words existed in that bill—no. In fact, what was in that bill was a way to do an end run around the Auditor General and give money—over \$600 million in surplus in the course of the fiscal year—to anybody whom this government deems worthy, as long as they're non-profit. We know, because we remember the slush fund episode of last year, that that meant \$1 million to cricket clubs that asked for \$150,000. Who knows what it will mean this year? That was substantive legislation. It passed with nary a comment from many, and that actually changed the way business is done in this province.

Another substantive piece of legislation this government passed that changed the way legislative business is done in this province is the standing order changes. That's why we have such an overwhelming attendance this morning. Now that we have question period at 10:45 instead of 1 o'clock, we have basically diminished the importance of question period. That was substantive.

Here we have a government that's willing to take courageous and gutsy action if it helps them—and by "them" I mean the Liberal Party of Ontario or Dalton McGuinty and his cabinet—but they're not willing to make courageous and gutsy moves if they're going to help children's health, if they're going to help the environment, if they're going to help affect the poverty rates in this province or, as my colleague from Renfrew-Nipissing-Pembroke said, if they're going to help the economy in this province or those 200,000 workers who have been laid off in this province in the last five years alone—no. For substantive problems that affect somebody other than Dalton McGuinty and his cabinet, we get tiny, minuscule little bills—and right here, we have a little bill.

It is a little bill that nobody could object to. I would love to meet the person who would say, "Yes, we think it's a good thing that people smoke in cars with their children"; I'd love to meet that person. Would that person please stand up? It would be fun to meet them, because there's an iconoclast. If the vast majority of people who have a brain in their heads think at all, this is a no-brainer.

This is a tiny little bill and it's going to have tiny little ramifications, really, and tiny little repercussions on the health of children in this province. If they wanted to be courageous, if they wanted to be gutsy, if they actually wanted to affect the health of children and the health of Ontarians, there's so much more they could do.

I appeal to the backbenchers now at the Liberal desks, because I know that you get your marching orders from party central, Dalton McGuinty, and I know that you all read bills, that you all have passion, that you all came here out of a desire to help your constituents and to help



the people of Ontario. You have a majority government; you have an overwhelming majority government. You have the mandate from the people of Ontario to do what you want, when you want to. Why don't you take that mandate and do something courageous and gutsy with it? Why don't you do something while you have the opportunity to actually affect this province?

We're going into hard times. We're going into a potential recession. We're going into a time when the environment is going to get worse quickly. We're going into a time where we could seriously begin to fear for our grandchildren because of greenhouse gas emissions, because of some intractable problems. Poverty is getting worse; it's not getting better. The wait lists for housing are going up; they're not going down. We have 170,000 households waiting for affordable housing now. We have some big problems and they're getting worse.

But instead of dealing with the big problems we have, the little tiny bills that have little tiny ramifications and repercussions are what we're given to deal with. And it's not cheap to deal with them. We know that it costs money for this Legislature to sit. We know that millions of taxpayers' dollars, not to mention the hopes and dreams of all of those people who elected a majority government, who hoped, for once, it would do something that would change the way politics were done that would actually make a difference in the health and the lives of our children—that's what the voters hoped for, that's what they voted for, that's what they believed in.

Instead, what do they get? They get a bill like Bill 69 that says it's bad to smoke in cars with your children. Wow. That's revolutionary. That's going to change 200,000 manufacturing jobs lost, that's going to change one in six children living in poverty, that's going to change the steady erosion of the medicare system in this province. That's going to change all of that. Oh yeah, telling people that it's bad to smoke in cars with their children, that is really going to help our environment, which day by day is being degraded. That's going to help all of that.

I doubt it. I doubt that Bill 69 will make much of a difference, even to the lives of children of smokers, because we know that fines don't work against addiction. I doubt that it's going to make any difference in the lives of many people.

Is it a good thing? Of course it is. Motherhood is a good thing. Apple pie, if you're not wrestling with obesity, is a good thing too.

**Mr. Paul Miller:** I like cherry myself.

**Ms. Cheri DiNovo:** My colleague here says he prefers cherry pie. So there you go.

Cherry pie, apple pie, motherhood—these are all good things. Not smoking in a car, that's a good thing too. It's all very, very good. But it's also very, very cowardly. It's also very, very small. It's also not why a majority government was elected. It's also not why people put their faith in Dalton McGuinty and his cabinet. It's also why those backbenchers—who are busy looking at their tables and won't look up because they know what I'm saying

has some validity to it—were elected: to represent their constituents. They were elected to do something, to make some strong moves in an economy that demands it, in a reality that is steadily growing scarier in Ontario and more and more unhealthy. By any marker of public health you can use, this province is getting more unhealthy.

Instead of doing something about it, something substantive, something courageous, something that they were elected to do—remember all the promises of the 2003 election, not to mention the last one?—instead of doing that, we have this: A scant little bill, a tiny little bill, and as I said when I opened, a lot of sound and fury signifying extremely, very, muchly little.

It's an embarrassment to have to waste taxpayers time and money on dealing with something like this. Will we support it? Of course we will. Do we wish for more? Absolutely.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Robert Bailey:** I'd like to comment on the remarks of the member for Parkdale–High Park, on her eloquent criticism of Bill 69. We too find it lacking in a lot of issues that should be dealt with, like the economy, which at this time is at the forefront in the news and in our thoughts every day in this House. We too, on this side of the House, at the end of the day will support the bill, because it's only the right thing to do. I am—I hate to say it today—a reformed smoker myself. I used to smoke in the car, and I regret every day that I did so. I'll say, too, there were children in the car at the time, and I regret that every day. I think it is a good thing to do.

**0950**

Whether we'll be able to enforce those—as the member from Parkdale–High Park said, it's going to be difficult to enforce it. Are we going to have the police, who are already overworked and understaffed, policing these types of issues? I don't think that's what we should be doing. At the end of the day, I think we need to move forward. I'd like to have us, when we deal with this, then look at the economy and work at trying to turn that around and deal with those issues that affect every man and woman, every taxpayer in this province. As the member for Parkdale–High Park said, this is a little bill. We should be dealing with more substantial efforts. I look forward to continued debate.

**Mr. Paul Miller:** I'd like to congratulate my colleague on a fine presentation. As a parent, I support this bill. I can't imagine what it would be like to sit in a car with other passengers when they're smoking and there are children in the car. I know that many of our peers suffered this when we were young and smoking was seen as glamorous, cool and socially acceptable. Well, we're not alone in our support of this bill, as many health organizations like the Canadian Lung Association and the Canadian Cancer Society also want to see this bill passed into law.

My party, the NDP, has historically supported health promotion and the well-being and health of our children,



and this legislation fits well with that position. I also know that the majority of my constituents support this legislation.

However, I'd like to reiterate my colleague's comments about the fluff bills that this government has brought forward. We have so many things wrong in this province that we're not dealing with, from job losses to pollution. I touch on pollution because here we are regulating smoking in cars, and our stacks are pouring out tonnes and tonnes of pollution every day, especially in my city, Hamilton. When I've asked for secondary pollution controls—shot down. All of our bills this session have been shot down by the Liberals. All good bills, dealing with people's severances, dealing with pollution, dealing with minimum wage—all the things that are important to the people of Ontario—have been shot down by this government.

It almost feels like a fruitless effort to be here and dealing with the small things when there are so many other things going wrong in our economy. It's frankly disheartening, and I don't know when this government is going to take a serious look at our province and do something constructive to help our province, other than dealing with the small things—trans fats and things like this. Sure, it's good, but it means nothing to the people who are losing their jobs. I think it's time we moved in the right direction.

**Mr. John O'Toole:** The member from Parkdale–High Park always brings a fair amount of drama and insight into these debates. It's like trying to say a lot about something that, as she said in her remarks, is not a very large, encumbering bill. It is a bill that we've all said here, openly, we would support. In a very few minutes I'll be speaking on it, and I'll try to stick to the topic for the 20 minutes, because 20 minutes—this is a bill that's half a page long. It isn't too encumbering. There is a copy of the bill. One side of the page is English and one side is French. So really, you could count the words. In fact, in 20 minutes you could read the bill 10 or 15 times. So it's not huge and it's not complicated, and we all agree.

We could get on to some more substantive issues. I see the Minister of Transportation here. We could be talking about Bill 40, which is a bill that's on the order paper. It's a bill on regulating and restricting the use of cellphones in certain conditions. Then there's the discussion that the member mentioned about the economy, and those families that are affected and the children that could be affected. This bill we're talking about is banning smoking in a car, and the impact on children who may be in the car. We agree. But how about parents who lose their job, and the impact on children not having the proper nutrition, shelter and other protections and supports that they need for full development? There are some substantive things we could be talking about and should be talking about in the time that we were elected to serve here in this Legislature.

Respectfully, I'm looking forward to speaking for 20 minutes in the next few minutes. I am in hopes that a Liberal member will stand and speak.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments? I'll return to the member for Parkdale–High Park, who has two minutes to reply.

**Ms. Cheri DiNovo:** I want to thank the members from Sarnia–Lambton, Hamilton East–Stoney Creek and Durham for their comments as well. I notice with very great interest that our Liberal colleagues in the House today are not speaking at all. Those who are listening and watching from home should note that the Liberals have basically given over the floor to the opposition today. It's an opposition day at Queen's Park. They've decided not to speak to this bill. I guess that's how much they value it—not much. I guess that's how much they agree with us—very much. There are very few of them in the House, I must say too. There are only 10 Liberals here.

**Hon. James J. Bradley:** Is this the United Church minister speaking?

**Ms. Cheri DiNovo:** I'm being heckled now by the Minister of Transportation—

**The Acting Speaker (Mr. Ted Arnott):** Will the member please take her seat. It's not appropriate to refer to the absence of members in this House. I would caution you on that and return to you now.

**Ms. Cheri DiNovo:** I'm sorry; I wasn't referring to somebody who is absent but somebody who is here. But it would be nice, rather than just hearing heckles from the Liberal side, to hear some substantive debate.

Having said that, for those at home, we're speaking about the Smoke-Free Ontario Amendment Act, banning smoking in cars—sort of, because you have to get caught first and you have to be fined first. Then of course that doesn't really do it because if you're an addict, you're going to do it again unless you have some real health care and prevention and education that goes into the mix.

It's a very little bill. It doesn't accomplish very much. What it does is an inch where we need a mile, as usual with McGuinty Liberal bills. But will we support it? Yes, we will. We've already said we would. As I said, I can't imagine anybody in Ontario who would not support this bill. It's that contentious, that courageous, that gutsy, that challenging that really everybody supports it, and we shouldn't be wasting time on it. That's my final word.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. John O'Toole:** I appreciate the opportunity to address this issue this morning. I will not make light of the importance of the initiative. It is a health issue that affects the health of children and in that respect it's a good thing. We could probably call the vote right now—there are a couple of ministers in the House—and get this over with. Then we could get into more substantial discussions on issues that affect the day-to-day lives of people.

What is my input on this that will change the outcome? I say right from the beginning, not very much actually. I would say this, though: Everyone here has a story they could tell that relates to how this could have affected their life. I'm a parent. My wife, Peggy, and I have five children. I speak of them often in this Legis-



lature. They're all, I would say, around 30 or older and I'm very happy that they're healthy. And that's good.

1000

I would say I did smoke. This is a self-confession here this morning, a sort of revelation. To put some truth to the story, very early on, a very close person to me—let's put it that way—was diagnosed with cancer. This was before I had children, and I quit smoking right then and there, on the spot, cold turkey. I did not smoke for over 10 years. I'm saying this on the public record. I'm almost 65, so, to be honest, it's good to put these things in context. I would have had the odd cigar maybe at the appropriate occasion of celebration of some sort, but even there, when you're addicted to a substance, it's a problem because you're only one cigarette or one drink away from returning to bad habits. You have to regulate your own behaviour. We each should take responsibility for our own behaviour; we shouldn't have to legislate it. The most important thing here is that an event that affected someone close to me affected my behaviour. That's education. If you're watching and listening—we, the people serving the public, should be educated by these events, both at a personal level and at a legislative level, if you will.

None of my children ever smoked in my view.

**Ms. Cheri DiNovo:** On a point of order, Mr. Speaker: I don't believe we have a quorum in the House.

**The Acting Speaker (Mr. Ted Arnott):** I would ask the table to ascertain if indeed there is a quorum in the House.

There is not a quorum in the House.

*The Acting Speaker ordered the bells rung.*

**The Clerk-at-the-Table (Ms. Lisa Freedman):** A quorum is present, Speaker.

**The Acting Speaker (Mr. Ted Arnott):** I will turn to the member for Durham, who has the floor.

**Mr. John O'Toole:** I'm a little bit disappointed that a quorum call was made during my remarks, because it seems that perhaps that's why people left.

I was in the midst of telling a personal story, and that story would count that, of my five children, none have ever smoked that I'm aware of, and they're all, as they say, 30 or over. We now have four grandchildren, and only by luck or by good fortune have my circumstances turned out the way they have. But there was that one event where a significant person in my life did eventually succumb and die of cancer. This was a tragedy in my life that affected my life traumatically. The bad part of this is that despite all those adverse setbacks, this discussion is about educating not just the legislative pages that are here, but each of us and the scope of people that we have contact with.

We all act as models for children, and that's not even in this bill, nor does it need to be, but children often model behaviour, whether of their parents or peers, television personalities or cartoons, or whatever. Whether it's smoking or other bad habits that we might have, we should always be aware of the behaviour. If it comes right down to it, government, when it is proven clinically

and scientifically, is really required, I think, to take action.

I just happen to have in my desk here an article, "Winning the War on Cancer." It's a current issue, the May issue, I believe, of Reader's Digest, which happened to be in my desk. I don't subscribe to it. It's a very good article. It's the tragic story of Prue Boyd of Nanaimo, BC, and it talks about having this diagnosis of GIST, which is a form of cancer and it's a cancer of the stomach. It ultimately talked about a life-saving procedure, but the fact is what this individual went through in this story, and the impact on their lives and their family—the health care system generally—for something that may have been preventable. That's the second lesson we learn. If we think that cancer—we now know, according to what is being published and precipitated in this bill, that it can cause a risk to yourself and others, which could be interpreted, I suppose, in a court of law; if you knowingly expose others to a risk, you could be guilty of a crime, I suppose.

This issue is not without its people on the other side of the debate: free will; it's a legal product. It's a federal issue, to the extent that it's federally regulated by the Canadian Food Inspection Agency and other agencies that would look at it.

Is it unique to Minister Best, who brought this in? This bill was introduced on April 30, 2008, by Minister Best, the Minister of Health Promotion. Her predecessor, Minister Watson, now the Minister of Municipal Affairs, may have talked about this as well. Smoking cessation wasn't part of the plan. As I said before, it's not unique. Mr. Oraziotti, the member for Sault Ste. Marie, had introduced the bill—and I just don't have details offhand—as a private member's bill, and I think the minister did give him credit. But in fact, more importantly, former Minister of Health Elizabeth Witmer, from Kitchener-Waterloo, actually took great action and was very vocal, as were others. The member for Nepean-Mississippi Mills, Mr. Sterling, has often spoken strongly against smoking. In their role as legislators as well as individuals, this is not unique to this government. I think what is really unique here is we're piecemealing. We're nibbling off the corners here. If this is that bad in confined spaces, and there's evidence that says that, and it is injurious to the health of ourselves and others, God—pardon my language—you'd wonder why they wouldn't ban it completely or make it an illegal substance.

What's the strategy for helping people get off? I'm a reformed smoker. As I said, I don't smoke, haven't for six or seven months now, but I was off for almost 11 years, and I wasn't particularly a heavy smoker. It was just that I was finding too many reasons to smoke a cigar, and so I decided that the best thing to do would be to celebrate with some other form of personal reward or relaxation. I haven't found one yet, actually, but I think just being healthy is the reward, I suspect, that I feel satisfied by.

I'm going to say our own members, legislatively, and these things come out—I'll just go through some here. I



have a February 2008 memo here from Dr. Robert Kyle, who is the medical officer of health for the region of Durham. I served on that health and social services committee for Durham region when I was a regional councillor, and I still get copies of their minutes, along with lots of other paper that I get. Dr. Kyle's always been a strong advocate for smoking cessation or against smoking, and this was his report in February. This is even before the legislation, so there were pressures from all segments of society. It says, "In October 2007, the health and social services committee requested information on smoking in vehicles where children are present. The following is a summary of current evidence regarding the health implications of exposure to second-hand smoke (SHS) in vehicles, legislation in other jurisdictions pertaining to this issue, legislative options for Durham region and areas for further exploration." So this is not unique to Ms. Best, to Minister Smitherman, to this Legislature, indeed this province, this city, Durham region or whatever.

There's the whole issue that I've just described. Other areas have done it. "Context for legislative action"; this is quite a good report on Canada and jurisdictions outside Canada. We often criticize the Americans for being backward. We're actually copying them. We're way behind on a lot of stuff here. "There are laws banning smoking in cars with children in many American states and cities, including California, Arkansas, Louisiana, Bangor (Maine), Key Port (New Jersey) and Rockland County (New York). States with legislation in progress include Georgia, Michigan, New Jersey...." This is not some profound, untested attempt to change the world. It isn't; it's done.

We could vote on it now, and it would be over with. That was the way it should be, but I'm a bit surprised that that isn't what is happening here today. I think all members, probably I can say—I am looking at it. I wrote to the Minister of Health Promotion myself some time ago. I have a copy of a letter to a constituent in May this year. Cathie Snider had written to me, and she said it's okay for me to use her name. My letter says, "Many thanks for your email in support of smoke-free cars for kids. In my view, the Bill 11 legislation introduced by MPP David Orazietti and the Bill 69, Smoke-Free Ontario Amendment Act from the Minister of Health Promotion enjoy strong support among all parties at Queen's Park. Now that the provincial government has introduced Bill 69, through the minister responsible for health promotion, I am confident the legislation will proceed to third and final reading."

We're saying that in writing, and we're saying that here in public, so there isn't a lot more that can be said.

1010

There is, as we've all discussed here, a lot of background.

I thank all the stakeholders—many of them were here when this bill was introduced—and certainly the Ontario Medical Association and the Heart and Stroke Foun-

dation as well as others who have encouraged, if not forced, the minister to act.

But it could have been done—and it could be done this morning. If we were really proactive legislators, we would get on with it and get the job done and move on to—what would we move on to becomes the question. I think we'd move on to things that are more relevant.

If we just take a look, for instance, let's just casually—this is completely unrehearsed now. With your indulgence, I'm trying to say this is something we could talk about. I have a couple of bills that I personally would like to talk about which I think would have the potential, the same as this Bill 69, of saving lives. We'd all like to make that kind of contribution. I know the Minister of Transportation is always wanting to have the safest roads in the world. His leadership would be important on this issue, that's for sure, and I'd be there right beside him.

Bill 40 is a bill that I've introduced several times, and each time I get a lot of feedback from different jurisdictions. In fact, I've had the privilege of speaking to other jurisdictions. It's a good example of what this Legislature can and should do. I am in favour of supporting Bill 69. I'd ask for a reciprocal occasion here to talk about Bill 40 or Bill 73.

Bill 73 is another bill. It completely prohibits the use of the cellphone in certain jurisdictions, like at an accident scene or in a school crossing zone or in specific locations, as outlined by the minister. They're absolutely banned—hands-free, everything. They're prohibited. These are community safety zones. We know there are hazardous areas that are identified by municipal police and others.

Bill 69—I'm trying to stay on topic here—is on the no-smoking thing, and there are five minutes to talk about it. As I said, the bill only has about 400 words in it, so it's not some profound piece of legislation. Would you like me to read part of it?

Here's the preamble of the bill. This is the broad definition of what it does: "The Smoke-Free Ontario Act is amended to prohibit smoking or having lighted tobacco in a motor vehicle while a person under 16 years old is present." That's the purpose in a nutshell.

Then it goes on and it refers to sections of acts. It says, "For the legislative history of the act, see the table of consolidated public statutes"—it gives you the reference there.

"Her Majesty, by and with the advice and consent of the Legislative Assembly of the province of Ontario, enacts as follows:

"1. The Smoke-Free Ontario Act is amended by adding the following section"—it adds the 16-year-olds. Part of the amendment here is:

"9.2(1) No person shall smoke tobacco or have lighted tobacco in a motor vehicle while another person who is less than 16 years old is present in the vehicle.

"Proof of age

"(2) In a prosecution under this section, a court may find evidence that the person enforcing this section honestly and reasonably believed another person to be



less than 16 years old to be sufficient proof of the other person's age.

"Enforcement

"(3) Despite section 14, this section shall be enforced by police officers."

It goes on in a very detailed administrative enforcement of this section.

When you look at this and you think of the practicality of it—and even if I read the bill myself—you'd say, "Well, now we've given the police this job. It says so in that section. At night, how are they going to enforce the bill? What are the practical implications of this? It's conceivably not enforceable. That's the problem.

It probably will get challenged. Someone will say, "No, I wasn't smoking" or "The person wasn't in the car when you saw me get out of the driveway," or maybe the neighbour is just angry with you and they see you get in the car and they think the children—or you have tinted windows. It's just a frigging administrative nightmare. We're going to be spending time in the courts when we could be solving other, much more invasive legislative issues.

So I think of the administrative implications for the police. Tinted windows at night: How the heck do they enforce it? They stop the car if they think there are kids in there? I don't know. Or if they see smoke coming out the window? It could have been something else that was causing that. So administratively, it's going to be difficult to enforce.

On the other hand, cellphones may have the same problem. If you have cellphones banned—a hand-held cellphone—what if it's at night? How do they enforce that? What if there are tinted windows? How do the police enforce it? I think you have to look at the careless driving provisions in the Highway Traffic Act and say that if the person is weaving in and out of traffic, they should be charged with careless driving. That's six points and probably about \$1,000. They shouldn't be doing that. They're putting themselves or others at risk, as is the case with smoking.

So the government has a role, but it's having that heavy- or light-handed—how do we implement it? How do we administer the thing? Again, this is a very small bill, but it's going to cost money. It saves lives, and I guess you have to put some value on that, for sure.

As I said, I've written to Cathie Snider, who complimented the thing, and told her we'd do that. I have the Durham region medical officer of health's report. I have quite a few pieces here from the region, as well as the Minister of Health Promotion, who responded when we wrote to her. We have the Ontario Medical Association and the Heart and Stroke Foundation—Rocco Rossi, the CEO of the Heart and Stroke Foundation, and Janice Willett, MD, president of the Ontario Medical Association—jointly, and others, and lots of emails as well.

I'm going back to the same thing now. Are there other bills that could be brought forward here in the remaining minute or so? These bills are in my legislative binder. I'm just going to mention a few.

Bill 55, the French-language act: That could pass too. It's another one that we all agree on, really. It's already done. These are just administrative changes.

Bill 56, An Act to amend the Highway Traffic Act and the Civil Remedies Act, 2001 to promote public safety and suppress conditions leading to crime by prohibiting driving on the highway in a motor vehicle in which there is an unlawfully possessed firearm: Mr. Colle, who's here today, would be happy to see that bill go forward.

Bill 57, from Mr. Hillier, which is An Act to establish political oversight over legislation and regulations to reduce red tape and unjustified regulatory burdens: This is a very good one.

From Mr. Yakabuski: An Act to create the Ontario Medal for Civilian Bravery. That's a bill that's going to recognize, in many cases, volunteers who commit acts of bravery. It could save lives as well.

Bill 59, An Act respecting apologies: Another bill of Mr. Oraziotti's. He's very busy. In fact, he's a young fellow, a former high school teacher. He should, arguably, be a cabinet minister. He may not be there long enough to be in cabinet, because this will probably be his last term in government.

And Bill 60, An Act to amend the Day Nurseries Act to allow more children to be cared for in rural areas, from Mr. Lalonde.

So thank you very much. I hope this bill passes this morning.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments? The member from Parkdale–High Park.

**Ms. Cheri DiNovo:** In the absence of a Liberal government response of any kind, I'm happy to take the time.

I listened with great interest to the member from Durham. Certainly, it's a bill that we all support in the opposition. I believe that we all support it, probably across the province of Ontario, so there's no problem there.

What you've heard from the opposition—and the opposition comments to a person—is the problem of having to take up legislative time, over and over again, with bills that really don't have a great deal of substance to them, when in fact we are presented with some incredibly pressing problems in this province. We've seen layoffs, about 200,000 manufacturing jobs lost. These represent real families with real issues. We've got an economy that's teetering on the verge of recession right now. We have one in six children living in poverty. We have increasing issues with our health delivery system—witness the problems that we highlighted yesterday around C. difficile reporting and others. We have a housing backlog: a list of 170,000 households now waiting for affordable housing in the province. I could go on.

**1020**

These are the real issues facing Ontarians, and I haven't even touched on the environmental ones: the fact that we haven't ratified Kyoto in Ontario, and we could; the fact that we're racing towards a nuclear answer to what should be an environmental question, to the tune of



\$40 billion to \$50 billion of taxpayers' money. These are all huge issues that should be debated, that should be given time. Instead, we're debating issues for which there really is no debate. "Yes, good, let's get on with it; let's do this—let's do far more than this." That's really what you're hearing from the opposition desks.

For those listening and watching at home who are wondering where the Liberals are this morning, they are in fact in the House; they're just not speaking. They don't feel strongly enough about this bill to want to address it. We're doing our best in upholding parliamentary tradition in the opposition benches.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

I'll return to the member from Durham.

**Mr. John O'Toole:** It's a very, very distressing fact that the government members won't stand in their place and declare openly—as they're paid to do, I might add.

There's one more paid political advertisement—actually, it's not political. This Saturday, May 31, in my riding, there's a celebration to support the troops. All the legions in the area will be there, as well as the Royal Ontario Regiment, the cadets and others. It starts at 10:30 in the morning. There is a series of entertainers, as well as speeches, and we are very fortunate to have a number of dignitaries and those who serve in our community. But they're all there for the same reason. They're there to make our communities stronger and our families stronger, and that's how it relates to Bill 69.

Bill 69 is a bill that—we could actually have done something about the economy and the job losses in the riding of Durham. There are five schools that could be closed in Durham; we should be talking about that—Ms. Wynne, the Minister of Education, should bring some kind of—rural school closings. These are tragedies for young children. So why are we talking incessantly? In fact, the Liberals—it's just an observation—haven't said a single word this morning on this issue. I'm disappointed, and I'm concerned that they're failing their full duty of participating in a democracy.

We're willing to do the right thing now so that we can go on to talk about the economy, go on to talk about cellphones and other public issues, but they're not saying a word. They've been silenced. I'm almost speechless. Now, that's going a bit too far, I understand that, but—

*Interjection.*

**Mr. John O'Toole:** You would like to acknowledge that my time has run out.

I'm waiting anxiously to see if one of the Liberal members stands at least to acknowledge the sincerity that I've put into my remarks this morning.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mrs. Joyce Savoline:** I rise today in support of the comments made by my colleagues from Renfrew–Nipissing–Pembroke and the great riding of Durham, and also to support the comments made by the member from Parkdale–High Park.

This is a no-brainer, and we're spending hours and hours on it. The Liberals are sitting back, just listening,

making no comments whatsoever, yet we're spending hours debating something that should have been included in a bill long ago.

The no-smoking act has passed. It was passed so quickly that it was not thorough, it was not complete, and it was not well thought out, or this would have been part of it. So we're here, and I'm pleased to debate this morning on behalf of the official opposition with respect to Bill 69, which is An Act to protect children from second-hand tobacco smoke in motor vehicles by amending the Smoke-Free Ontario Act.

I am pleased to tell you that Halton region has passed a recommendation supporting this legislation, as well as other municipalities in Halton, to show support for what is right.

I find it somewhat amusing to be speaking in support of a bill introduced by the Minister of Health Promotion, on a subject that the Premier himself deemed to be a slippery slope. He was opposed to this legislation some few short weeks ago. What he said was that this was a slippery slope and he did not feel it should move forward. However, in what I believe is true Liberal fashion, someone read the newspapers and figured out that in fact the public was in support of this type of legislation, and there was a flip-flop, so now we are all in support of banning smoking in cars while children under the age of 16 are present.

You know, it's really sad that we have to legislate behaviour like this. As a mother and a grandmother, I cringe every time I pass a car that has the window open just a crack, and you see that there are children in the backseat and the driver has put the window down a little bit just to try to get rid of a little bit of the smoke that's accumulating in the car. The image, if you think about it, is haunting, especially given what we know about the dangers of second-hand smoke. I mean, you can't be alive and not be aware of the dangers of second-hand smoke: the increased risk of cancers, for one, lung diseases, and of course heart disease.

Most parents, I believe, are trying to do their best for their children. They protect their children; they keep them as safe and healthy as possible. I find it shocking, though, that in this day and age, we have to legislate parents and drivers from smoking in cars when children are present. If an adult is in a car with somebody smoking in it, my bet is that adult would ask that person to butt out, yet a child cannot do that. They may try, but I don't think they'd have the influence.

I wonder if drivers would be able to puff away on marijuana for medicinal purposes in a car full of children. While people are being protected from regular tobacco, no one is being protected from medicinal marijuana second-hand smoke. I'm asking this government to create consistency in their legislation and close the loopholes on medicinal marijuana smoking within their Smoke-Free Ontario Act. We should have one law for everybody, not one for tobacco and one for marijuana smokers. Truly, I'm surprised that I have to continue to point this out to the McGuinty government, but so far there's been no



action on it. If the Minister of Health Promotion has data that indicates second-hand smoke from marijuana is safe for children, then produce it, or include it in this legislation. Otherwise, it's my feeling that banning smoking in cars with children should include all smoke products, all tobacco products.

We have all seen infants in car seats inhaling cigarette smoke that hung in the air like a cloud. My heart breaks, and I would venture to say that this behaviour borders on child abuse. It's very, very simple to me. By doing this, not only are you intentionally creating this toxic environment for young children, you're putting them in grave danger in later life. Tragedy can strike any family at any time; that's true. What I hope we can avoid here with Bill 69 is the tragedy in the making. We have the ability to do that and we should be responsible enough to do that. I do not want a child to be told that they have lung cancer and they will endure months of agonizing treatment because their parents or other adults could not exercise self-control—and that's what this is about: self control; not smoking in a car.

With all we know about the future health implications of smoking cigarettes, it really boggles my mind that people continue to put their own loved ones at risk. When you consider the following statistic—and the minister referenced this in her statement during the introduction of Bill 69—a 2005 Health Canada study estimated that in a one-month period, 144,000 children in this province are exposed to second-hand smoke in vehicles; 144,000 exposed to second-hand smoke each month in this province in vehicles. If the Liberals across the way had been responsible enough to act on that and put an education program in place, there could have been a better chance for those 144,000 kids who are affected each month. They could breathe more safely and they could breathe easier. But, as usual, they wait until the last possible moment to make a decision or move on an issue. They wait to see what the newspapers say.

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As education critic, I believe we have the tools at our disposal to teach children about the hazardous effects of second-hand smoke. When your child turns to a parent, a grandparent or any adult and says, "Why are you hurting me by smoking in the car?" I defy any adult to turn a blind eye to a plea for help like that. I have no intention of adding an additional layer of responsibility to our educators. However, the opportunity does exist in the context of health class to introduce this discussion.

The Ontario Medical Association has been very clear about the dangers of second-hand smoke for children and have been calling for this government to act for over four years. My colleagues and I hope that the minister and her cabinet friends are seriously considering the advice of our medical partners and stakeholders. We know that the lung association and the Canadian Cancer Society are very firmly in support of this bill, yet with all the stakeholder support, it took four long years to bring this to the Legislature.

My colleague Laurie Scott raised several good points in her previous statements on Bill 69. Why did the

Minister of Health Promotion allow her Liberal colleagues to vote against the protection of children in Caledonia from smoking illegal, illicit cigarettes? This includes the parliamentary assistant, the member from Oak Ridges–Markham. As the critic for education, quite frankly I am disgusted that this government has refused to take action on illegal smoke shacks in Caledonia. Once again, hypocrisy reigns supreme in this legislation. Soon you will not be able to smoke in your car with children, but a child could purchase illegal cigarettes just metres away from an elementary school. Soon you will not be able to smoke cigarettes in a car with children, but a child could be in a public place in the company of someone smoking medicinal marijuana.

Government should be setting an example for our young people. How are we going to restore faith in our democratic system when the government acts in such a hypocritical manner? Are they scared to act, or is it possible—and sad—that they are afraid to confront the illegal smoke shacks because they don't know how? Or maybe they just don't care. But if they are going to take the moral high ground on smoking in cars with children and force convenience store owners to hide power walls, then they should definitely follow through with their anti-smoking message and shut down illegal smoke shacks, and shut them down for good.

Imagine the hypocrisy when a child with a carton of illegal cigarettes on his bicycle rides past a car that's been pulled over by a police officer for a smoking violation. You cannot tell me that these illegal smoke shacks are not 10 times more dangerous to our children than an open wall of cigarettes in a convenience store. The illegal cigarettes cost \$1 a pack, and they don't require their patrons to show any ID. Clearly, children wishing to experiment are prime pickings. The frustrating part of this issue is that the smoke shacks are illegal themselves. All this government has to do is require that these smoke shacks be shut down. It's plain and simple to me and to others I speak with. What we are talking about is essentially a common sense principle.

Another concern about this legislation is the fact that it is an amendment to the existing Smoke-Free Ontario Act. The Smoke-Free Ontario Act is only specific to tobacco smoke. We missed the boat on this one. It does not include other legal, yet dangerous, materials such as medicinal marijuana.

In March, as you are very aware, I put forward a private member's bill with the intention of protecting people, including children, from the negative effects of second-hand smoke from materials beyond just cigarette tobacco. I presented Bill 42, designed to close a loophole in the McGuinty government's own anti-smoking legislation, which, I'm going to tell you, fails to include medicinal marijuana and other controlled substances in its definition. After receiving support during private members' business—from all parties, I might add—the Liberal members then used their majority in committee to kill this bill, even after it received support from all sides during second reading. Again, the minister was silent.



So I ask today, since there is a loophole in the anti-smoking legislation that allows children to be exposed to the hazards of second-hand smoke from medicinal marijuana in public places, will that loophole also be included, and be closed, in Bill 69? Or will it be ensured that children, upon whose behalf this government is supposed to be acting and this minister is supposed to be acting, are safe when travelling in a vehicle where a person is subjecting them to the toxins that come out of the end of medicinal marijuana? It's a fair question that deserves an answer from the minister and the government.

I stated on April 17 to this House that very scary precedents are being set by this administration. I would like to take this opportunity to reinforce some of the concerns made by my colleagues with regards to Bill 69.

First of all, there is a very heavy reliance on police to enforce this act. How will this piece of legislation be enforced when the province is already far short of having enough police officers to enforce the Highway Traffic Act? Will the officers actually be forced to let an individual go without citation if they are caught smoking medicinal marijuana in the car with their children present?

Then, I ask, how much is the Ministry of Health Promotion going to spend on the public health education and awareness campaign on the dangers of second-hand smoke to children in enclosed areas? Throwing up power walls is not going to keep children from smoking, especially when they become addicted to smoking in an illegal smoke shack at \$1 a pack.

Not all young people and children carry identification with them. We all know that. If a police officer feels that a person is 16 or younger, a fine can be assessed to the person in the vehicle who is smoking. It is up to the accused, then, to prove that the person was in fact 16 years or over. This has the potential to further add to the already existing backlog in our courts.

Why can't this government create thoughtful, thorough legislation from the outset? Clarity and defensibility is important in the enforcement of this and any policy. The Smoke-Free Ontario Act is only specific to tobacco smoke. So it's acceptable to smoke other substances, such as medicinal marijuana, in a vehicle with a passenger under the age of 16 and expose these kids to second-hand smoke. Is there an added cost to municipalities to track these fines for those who have not paid them?

Actions: Well, I see more inaction in the case of the Minister of Health Promotion on a number of fronts. Inaction speaks much louder than words. So it is beyond rich to accept the minister and her Liberal colleagues' statements today that she is so concerned with doing what's right for children.

The indecisiveness of the McGuinty government has resulted in Ontario falling far behind other jurisdictions in this critical legislation. Nova Scotia, the Yukon and British Columbia have already enacted similar laws that protect children from second-hand smoke in cars. It is

reprehensible when the Liberal government must play catch-up on protecting our children from these known hazards.

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When we're discussing the safety and health of our children, as I've said earlier, it is very, very difficult to find something that would trump that. In the legislation that we have before us today, this Bill 69, we've heard a lot of talk from the other side—not today, mind you; we've heard nothing from the other side today—on why this needs to be moved forward so quickly. Yet there was no explanation as to why they felt it had to be delayed from when it was first introduced by a backbencher in the Liberal government months and years ago, despite the fact that we heard from the Ontario Medical Association, and they said sooner is better for the health of the children who are involved. The Ontario Medical Association the Lung Association and various other groups have been calling for this type of concept for years and years and years, yet it has fallen on deaf ears of this government until they decided to produce it in fanfare. Provinces such as British Columbia and Nova Scotia have already taken action. Their kids are right now safer than our kids. Not the minister nor the minister's parliamentary assistant nor the Premier should be taking credit for this. They're leading from the back on this issue. They are truly leading from the back. They read the newspapers and they come forward with ideas.

I look forward to seeing this bill as it goes to committee. At committee, I hope that we are able to flesh out the details and the items that remain unclear to me and to clarify the things I have mentioned in my remarks, such as the enforcement of this act. What are the mechanisms going to be? What are the costs going to be as we move forward, and who is going to bear those costs? Are municipalities going to have added costs as a result of provincial legislation, and who will pay for those? Will the province then forward money to municipalities? And of course the educational components—because without that awareness and the educational component, people will not know about the strength of this bill and how it's going to move forward. What's so important is that we continue to impress on young people, on their parents, on adults, the statistics that prove that smoking, and especially second-hand smoke, is a danger to health, especially to children, who are vulnerable and for the most part cannot speak for themselves. They will not speak up, and if they do, who is to say that they will be listened to, that the influence coming from a child will be borne by an adult?

When you see the statistics that are related to the harmful effects of second-hand smoke on folks, whether they are adults or children, I think, as I said earlier, that it's a no-brainer to support this legislation. I've heard many comments from the other side that our caucus is not going to support this. That is an incorrect statement. I would hope that we don't continue to hear that refrain from the government side. We understand the dangers of this and we are incredulous that this bill didn't come



forward four years ago and that there has been a delay in bringing this forward. I support the bill.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Cheri DiNovo:** It's a pleasure to have the last word on Bill 69, at least for this morning. I just want to bring to the attention of those listening and watching at home that we have been here since 9 o'clock this morning and not one Liberal member has spoken a word. One can only wonder what they've been doing at their desks. My suggestion is perhaps designing their patios for the summer, and maybe they're making lists of what they are going to have for dinner. But they certainly haven't been doing what they are paid for, which is to defend their own legislation. We are in fact debating their bill. It's a government bill and the government has not spoken on their own bill once since 9 o'clock this morning.

**Interjection:** That's because they know it's a for-sure thing.

**Ms. Cheri DiNovo:** It's absolutely scandalous. If you're watching at home and you wonder what your member, and they happen to be a Liberal member, is doing on your behalf as a constituent, we can say that this morning they have done absolutely nothing. We in the opposition know that this is not a momentous bill; it's a little bill, a very, very little bill. It will do very little, even if enacted. But clearly, the Liberal majority government agrees with us in the opposition this morning. They have nothing to say about it. They recognize that it's such a little bill, of so little import, that they don't even have anything to say to their own legislation. Just for the record, I want to point out to all those watching at home that this government has done nothing this morning. They've been sitting here since 9 o'clock and they have not spoken once in defence or opposition to their own piece of legislation. Shame on them.

**Mr. John O'Toole:** I listened intently to the member from Burlington's remarks on Bill 69 prohibiting smoking in a vehicle when a child under 16 is present. We talked about the enforcement of issues, but really, more importantly, it's clear that we support the legislation. What isn't clear to us is why the Liberals haven't said one word this morning on this bill and why they haven't moved on with the difficulties in the economy or other legislative initiatives that could be discussed in the House. It was rather discouraging that when the member from Burlington was speaking, there was that one time when I think there were as few as six or seven members in the House. It was sad. Her input and standing up for the rights of children were virtually being ignored. I, for one, want to commend her for her remarks and for the preparation that she put into making those remarks, because Bill 69, as you know, has about 400 words in it. We agree with it. Let's get on with it. Let's talk about the economy. Let's talk about the use of cellphones in automobiles. Let's talk about some real content. But it's clear that the Liberals didn't come here to work today; there's no question about that. Let's see what question

period, which starts in a couple of minutes, brings about and we'll see where the fire hits the pavement this morning.

**The Speaker (Hon. Steve Peters):** Further questions and comments? The member from Burlington has two minutes to respond.

**Mrs. Joyce Savoline:** I'm pleased to stand up and express my thanks to the member from Parkdale-High Park and the member from Durham. I, too, am very disappointed that there wasn't one word from the government today on this bill.

**Interjection:** Shameful.

**Mrs. Joyce Savoline:** It is shameful. They proposed the bill, they brought the bill to us, we put our notes and our thoughts together to speak on this bill in a thoughtful way, yet not one member of the government uttered a word this morning, except to heckle. I heard heckling, but I did not hear any meaningful debate on this important and critical bill on how to protect children from second-hand smoke. I think this a no-brainer, and unfortunately we had to finally deal with it in our Legislature, after four years of promoting this from the stakeholders. We finally got it in the Legislature because somebody read about it in the newspapers and figured out that the public was on the side of no smoking in cars with children under the age of 16.

I think that is bad politics in the name of good government. Either the legislation is worthy of going forward or it isn't, and I think that when this bill was proposed some years ago, the idea should have been taken up and we could have continued to be a leader in our province. Instead, we're lagging behind. Ontario is last not only in the economy, but in bringing forward good legislation such as this.

I will be supporting this legislation as we move forward. I look forward to the committee. I look forward to debating this at committee and hopefully including some amendments that strengthen this bill.

**The Speaker (Hon. Steve Peters):** Thank you. The time for debate has ended.

*Second reading debate deemed adjourned.*

1050

## INTRODUCTION OF VISITORS

**The Speaker (Hon. Steve Peters):** I'd like to take this opportunity to introduce some guests today.

On behalf of the member from Welland, in the west members' gallery: Susan Berg and Mary Balenovich.

On behalf of the member for Kitchener-Waterloo, in the west members' gallery: Ms. Paula Perroni, president of the Ontario Catholic School Trustees' Association. Also in the chamber today is a delegation of trustees from across the province.

On behalf of the member from Lanark-Frontenac-Lennox and Addington are representatives from the business community in Smiths Falls and surrounding area.

On behalf of page Christopher Grouchy, in the public gallery: Debbie Grouchy, his mother.



On behalf of page Aaron DeGagné, in the Speaker's gallery: Renée DeGagné, his aunt; Denis DeGagné, his father; Nancy DeGagné, his stepmother; Kelsey DeGagné, his sister; Corinne DeGagné, his mother; and Troy Armstrong, a friend of his mother.

On behalf of page Murray Fallis, in the west members' gallery: Bill Fallis, his uncle.

On behalf of page Brianne Chan, in the public gallery: Kitty Mak, her mother.

On behalf of page Hisham Mohammad, in the public gallery: Fahmida Mohammad, his mother.

## LEGISLATIVE PAGES

**The Speaker (Hon. Steve Peters):** I now seek the indulgence of the House to allow the pages an opportunity for introduction. Pages, please assemble.

I'd like to ask all members to join me in welcoming this group of legislative pages serving in the first session of the 39th Parliament: From the riding of Etobicoke North, Radhika Bhargava; from the riding of Pickering-Scarborough East, Brianne Chan; from the riding of Eglinton-Lawrence, Kelvin Chukwu; from the riding of Timmins-James Bay, Alie Crump; from the great riding of Elgin-Middlesex-London, Aaron DeGagné; from the riding of Halton, Damian Ewing; from the riding of Simcoe North, Murray Fallis; from the riding of Thornhill, Dina Gang; from the riding of Northumberland-Quinte West, Christopher Grouchy; from the riding of Newmarket-Aurora, Doaa Hussein; from the riding of Lambton-Kent-Middlesex, Christopher Jefferies; from the riding of Sarnia-Lambton, Rachelle Lassaline; from the riding of Oakville, Natalie LaMarche; from the riding of Kitchener-Waterloo, Charles Lin; from the riding of Cambridge, Taylor Martin; from the riding of Ancaster-Dundas-Flamborough-Westdale, Megan McCrory; from the riding of Don Valley East, Gregory Nettleton; from the riding of Etobicoke-Lakeshore, Chris Rayment; from the riding of Welland, Ellen Tomaino; from the riding of Haldimand-Norfolk, Jocelyn Topp; and from the riding of Whitby-Oshawa, Hisham Mohammad.

Welcome to all of our pages.

**Mr. Randy Hillier:** On a point of order, Mr Speaker: I seek unanimous consent today that members of the Smiths Falls and surrounding area business community, as well as members of this House, be allowed to wear buttons that signify the importance of their visit here today.

**The Speaker (Hon. Steve Peters):** Agreed? I heard a no.

## ORAL QUESTIONS

### INFECTIOUS DISEASE CONTROL

**Mrs. Elizabeth Witmer:** My question today is to the Premier. Premier, on two separate occasions, your health minister has refused to answer a very simple question:

How many people infected with *C. difficile* have died in Ontario hospitals since 2006, and how many hospitals are currently dealing with an outbreak of *C. difficile*?

We have learned in the Hamilton Spectator today that Dr. Gardam, a top infection control expert, has said that the hundreds of deaths reported are only the "tip of the iceberg." I ask you today, Premier, the person who is accountable to all Ontarians, Ontarians who deserve answers, how many people have died, and how many hospitals are dealing with an outbreak?

**Hon. Dalton McGuinty:** I'll take the first question and defer the subsequent ones to Minister Smitherman.

Let me just say that this is a real issue for us. We all understand that hospitals are places where we can find sickness and disease. It's very important that we ensure that there is no contagion flowing from one patient to another. *C. difficile* is a real issue. We are moving as quickly as we can to ensure that we make the kind of information that the member is seeking public. We want to do that in a thoughtful and responsible way.

In the meantime, Minister Smitherman has put in place a number of protocols to ensure that people who find themselves working in the hospitals are in fact washing their hands and taking the other precautions that are appropriate to limit the spread of illness and disease such as *C. difficile*.

**Mrs. Elizabeth Witmer:** Well, Premier, you now have also refused to publicly disclose information, and certainly your lack of willingness to speak the truth leads to—

**The Speaker (Hon. Steve Peters):** I ask the member to withdraw that comment, please.

**Mrs. Elizabeth Witmer:** I'll withdraw.

This leads to one of two conclusions: Either your government doesn't know the answer, which certainly speaks to incompetence and a total disregard for patient safety, or this is a cover-up by the government, that they don't want the public to know—

**The Speaker (Hon. Steve Peters):** I would ask the member to withdraw that comment as well, please.

**Mrs. Elizabeth Witmer:** I'll withdraw that comment.

Either way, what is needed today to give the public some assurance that everything is being done that needs to be done is a thorough independent investigation. Premier, I ask you today, will you commit to an independent, immediate investigation of this issue?

**Hon. Dalton McGuinty:** To the Minister of Health.

**Hon. George Smitherman:** I don't accept the premise of the honourable member's question, but the matter at hand is obviously a very, very crucial one. It really does speak to all capacities in the health care system aligning themselves appropriately to address the challenges of this serious nature. We depend primarily upon our hospitals, which have that primary obligation on the front line and are equipped to address these circumstances. I have had a chance to say in this House—and we'll be filling in more information very shortly—that we are moving towards a public reporting regime that would provide much of the



information that the honourable member is asking for in her questions.

On the matter of an inquiry, because of the work of Dr. Gardam and the work of the coroner's inquest, we feel that it's much more appropriate that we use all the energy we have to work on relentless implementation of those recommendations which have already been offered to our government and to the entire health care system in Ontario.

**Mrs. Elizabeth Witmer:** Back to the Premier: The reality is that that inquest and the recommendations from your expert adviser occurred in 2007, and since then we've seen absolutely no changes. It was interesting, when we had SARS and the death toll reached 44, that you said, "It's critically important that at a time and age where we know that there will be more complex situations like this that confront us, we take every advantage that we can, that we reach out to all of those who have a voice and we hear of their problems and we take them seriously and we act to address those concerns." You yourself then said we need to do so "under a commission of inquiry that is independent, thorough and transparent."

I ask you today, Premier. You and your minister felt that an inquiry was important after SARS, which claimed 44 deaths. We now know that there are about 260 at least reported, we still have 130 hospitals to—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

1100

**Hon. George Smitherman:** I want to confirm to the honourable member, on the latter part of her question, about the necessity of public reporting. It is our intention to move forward with a regime which would very soon see all hospitals in Ontario, on the same date, consistently reporting rates of C. difficile that they may be experiencing.

But it is on the matter of an inquiry that I wish to focus. Both the chief medical officer of health and the coroner's office have suggested that an inquiry would not be necessary, would not move to protect the public in any way. The evidence of what is necessary has been informed by the work of Dr. Gardam, the work of coroner's inquests and others. Our focus will be on relentless implementation of that advice, which has already been on offer.

This is the best use of the resources at hand: a quick response in support of the people of Ontario, working in partnership with our hospitals, the Ontario Hospital Association and noted experts like Dr. Michael Baker.

### SCHOOL CLOSURES

**Mr. Robert W. Runciman:** My question is for the Premier. It deals with rhetoric versus reality, and that's frequently a challenge for this Premier. In this case, it's his election campaign rhetoric and his commitment to keep rural schools open.

In fact, on September 18 of last year, two weeks into the campaign, the Premier said, referring to rural schools,

"We're not only committed to keeping them open—but strengthening them." We now know, only eight months after the Premier's solemn vow, that at least 50 rural schools are slated for closure.

Premier, if your election campaign promise was sincere and not just empty and cynical rhetoric, why are these rural schools closing?

**Hon. Dalton McGuinty:** To the Minister of Education.

**Hon. Kathleen O. Wynne:** I know the member opposite is genuinely concerned about education in Ontario, although the record of that party wouldn't demonstrate that. Since we've been in office, we have put more than \$465 million into funding to allow boards, particularly in rural areas, to keep those schools open.

The fact is that next year there will be 90,000 fewer students in our schools than there were in 2003. The reality is that boards need to plan their schools and make decisions about the distribution of students and the distribution of schools based on program delivery to their students. That's what the boards around the province are doing.

**Mr. Robert W. Runciman:** The Premier's avoidance of responding to that question I think confirms that rhetoric during the election was empty and not a sincere commitment to the people of Ontario. He likes to be described as the education Premier but then won't even get up and respond to his own commitments made just eight months ago.

In the year 2000, the Premier, who was then the Leader of the Opposition, at a Liberal fundraiser described rural schools as, "the heart and soul of a community." He also called on then Premier Harris to protect rural schools, saying, "He's the guy who has virtually complete control over the education system."

Now you're the guy. You're the guy with control, Premier. You're in that chair. You can't blame anyone else. At least 50 rural schools are on the chopping block eight months after you promised to protect them. What does that say about your credibility, Premier, and the sincerity of your promise?

**Hon. Kathleen O. Wynne:** Our credibility is based on the fact that we have put over \$465 million into the education system to keep schools open in this province. The reality is that in a period of increasing enrolment—100,000 students—that government closed 503 schools.

We're dealing with a situation in Ontario where there are 90,000 fewer students in our schools than there were in 2003. In the face of that, we have increased funding to rural communities, we have put a supportive schools grant in place and we have increased programming to rural schools. That is our record and that is the credibility on which our record rests.

**Mr. Robert W. Runciman:** The people in the rural communities being affected by these decisions are sick and tired of your lame excuses and blaming others—sick and tired.

I want to put another quote from the Premier on the record, again from his opposition days, which apparently



makes a difference in how he views his responsibilities: "If a rural community loses a school, you're robbing the community of an important component; it's really tough to attract and hold on to young families."

The village of Delta in my riding is a prime example of the collateral damage of these school closures. Property values plummeted, the bank and the gas station closed, then restaurants. Premier, will you use the control you've admitted your office holds and impose a moratorium on rural school closures until you complete a review of the funding formula and an alternative use strategy? Will you do that, Premier?

**Hon. Kathleen O. Wynne:** I want to move away from the political rhetoric on this issue just for a moment that that party wants to keep us on.

The reality is, we are dealing in this province with a demographic shift. If the party opposite did its research, it would know that there are fewer children going into our schools. I go into rural schools and urban schools and there are half as many kids in kindergarten as there are in grade 8. That is the reality that we have to deal with. If we irresponsibly tied the hands of our school boards by putting a moratorium on any school closures, we would be dealing with a situation where it would be impossible for school boards to provide programming to their students.

The fact is, we have to work together with ministries across the government and municipalities to make sure that we have a sound economic unit that will support schools in all of our communities. That's what our declining enrolment work group—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### ABORIGINAL RIGHTS

**Mr. Howard Hampton:** A question to the Premier: Tomorrow, Chief Donny Morris and five other members of the Kitchenuhmaykoosib Inninuwug First Nation are at the Ontario Court of Appeal appealing a six-month jail sentence. Why? Because the McGuinty government failed to properly consult and accommodate them before mining exploration rights were permitted on their traditional territory.

Instead of sending the Kitchenuhmaykoosib Inninuwug First Nation members back to jail for protecting their traditional lands, will the Premier announce today that the mining rights are being withdrawn from the disputed KI traditional lands until a resolution of the issue is reached?

**Hon. Dalton McGuinty:** Let me say at the outset that I strongly take issue with the interpretation of the facts provided by my colleague opposite. This is a matter that was before the courts. My colleague knows we opposed jail time. We moved as quickly as we could to accelerate the release of these individuals, pending the outcome of the appeal. We've also indicated that we are certainly strongly encouraging the private sector to consult with our First Nations, our aboriginal communities, before

they move ahead with a claim. At the same time, we are conducting a pretty comprehensive review of the Mining Act and the claim-staking process which we've inherited. My friend knows that. I just wish that from time to time he would admit that.

**Mr. Howard Hampton:** Premier, I spoke this morning with the lawyer for Chief Donny Morris, who says that your government has done nothing to facilitate the release of Donny Morris and the Kitchenuhmaykoosib Inninuwug leadership. Further, Premier, you've been promising a review of the Mining Act for five years and nothing has happened.

The reality is, your Minister of Mines can temporarily withdraw the mining rights on the disputed Kitchenuhmaykoosib Inninuwug lands immediately, under section 35 of the Mining Act. No order in council is required, no review of the Mining Act is required, just a letter written by the Minister of Mines to the mining recorder. That's it. That's all it takes.

My question: Will the Premier instruct his Minister of Mines to write that letter to the mining recorder today, or does the McGuinty government want to see the KI leadership sent back to jail?

**Hon. Dalton McGuinty:** I can't let that stand. The leader of the NDP understands that this is a matter before the courts. At the end of the day, a judge, an impartial tribunal, has got to make the call on these kinds of things.

I want to make it clear again that our position was that these individuals should not be incarcerated. We did not think it warranted jail time. We did move to secure their release at the earliest possible opportunity. We're also moving as quickly as we can to conduct a pretty comprehensive review of a Mining Act that's been in place in Ontario since 1873. In the interim, we are encouraging private sector mining operators to work with our aboriginal communities, with our First Nations, and ensure that they're providing them with the proper consultation, involving them in the process.

It would be possible for Ontarians to conclude that our aboriginal communities are not interested in any kind of mining, but the overwhelming majority are interested in mining. They just want to find a way to participate in that so they can share in some of the revenues.

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**Mr. Howard Hampton:** It sometimes borders on the incredulous to listen to the McGuinty government. They blame the mining company. They blame other interests. The fact of the matter is that the McGuinty government could end this dispute today. You could have ended this dispute a year ago. All it takes is a letter from the Minister of Mines to the mining recorder, under section 35 of the Mining Act, saying, "These lands which are in dispute are hereby withdrawn from mining exploration and mining development." You know what? The McGuinty government that lectures and preaches—

*Interjection.*

**The Speaker (Hon. Steve Peters):** Stop the clock. I would just remind all of our guests who are here that you're more than welcome to observe the debate, but not



to participate in the debate by applause or any other form. Thank you.

**Mr. Howard Hampton:** The McGuinty government that lectures and preaches refuses to do that. The First Nation has made it very clear: They are not going to allow mining exploration and development on their traditional lands. Premier, you can resolve this issue today. Simply withdraw it from further mining claim, mining exploration. Will you do that?

**Hon. Dalton McGuinty:** To the Minister of Natural Resources.

**The Speaker (Hon. Steve Peters):** The Minister of Natural Resources?

**Hon. Dalton McGuinty:** Northern Development.

**The Speaker (Hon. Steve Peters):** The Minister of Northern Development and Mines.

**Hon. Michael Gravelle:** As the leader of the third party knows full well, we made the commitment to review the Mining Act last year, not five years ago. It's one that we take incredibly seriously, as we take our duty to consult very seriously. Again, I would think the leader of the third party would understand that taking any unilateral action to change the Mining Act would not be supported by many people, including himself, and I would think also our First Nation partners.

We feel it's extraordinarily important to go through this review of the Mining Act in a comprehensive way, as the Premier has said, and then indeed to enter into appropriate consultations. We think that's incredibly important. There are so many great opportunities that are there. We recognize the challenges, so this review of the Mining Act is one we take very seriously, as we take our duty to consult very, very seriously. Indeed, we look forward to moving forward as quickly as we can on the Mining Act review.

#### INFECTIOUS DISEASE CONTROL

**Mr. Howard Hampton:** A further question to the Premier. Ombudsman André Marin said that the province's actions in terms of our hospitals are inexcusable, and Ontarians are losing confidence in our hospitals. Infection control experts now say that 260 Ontarians have died in hospitals from *C. difficile* since 2006, and this may be just the tip of the iceberg.

Ombudsman Marin for years has urged the McGuinty government to allow him to provide oversight of what's happening in our hospitals. New Democrats have urged you to do that. Premier, how many more deaths have to occur, how many more shocking disease outbreaks will have to occur, before the McGuinty government realizes that our hospitals need to be more transparent and that the proper way to do that is through the Ombudsman's office?

**Hon. Dalton McGuinty:** To the Minister of Health.

**Hon. George Smitherman:** We believe and agree that there needs to be greater transparency with respect to the things that are occurring in Ontario's hospital environments. We think that these same experts that the honour-

able member quotes, not the Ombudsman but experts in infectious disease, should be those who are leading efforts on Ontario's behalf.

We're going to ask Dr. Michael Baker from the University Health Network, who is one of these oft-quoted experts, to be our lead on this. As I've had a chance to say in the House several times in the last few weeks, we'll be moving forward with reporting. We'll see Ontarians gaining a multitude of additional information about the circumstances that relate to patient safety in the hospital environment. We agree that transparency can be a powerful tool for improvement in this area. These are very, very substantial challenges, and accordingly, we feel confident that enhanced transparency will be part and parcel of increasing patient safety for the people of the province of Ontario.

**Mr. Howard Hampton:** Premier, 260 people have died, and people say this may be the tip of the iceberg. Ombudsman Marin says the province's reaction has been inexcusably lax. To quote him: "When I see the reaction of the provincial government to this, it's almost as if it's written off as the cost of doing business." When asked by the Hamilton Spectator, he said, "This is exactly the kind of systemic issue which our office would be poised to handle if we had jurisdiction."

My question again, Premier: Instead of promising Ontarians that perhaps next year public reporting will be improved, why won't the Premier agree to giving the Ombudsman oversight of the operations of Ontario hospitals today?

**Hon. George Smitherman:** It seems that the honourable member didn't hear well enough. He said, "Maybe, or in the future"—no. I've very clearly said on several occasions in this Legislature that we're moving forward with public reporting. This will mean that hospitals post data on a regularized basis, available to all the public, on a wide variety of considerations, starting with *C. difficile*. This will be implemented by September 30—public reporting, access, transparency, for all the people in the province of Ontario.

Rather than relying on someone whose skills are outside of the medical arena, we'll be depending upon medical experts, in the form of Dr. Michael Baker, to lead these initiatives. He is a patient safety expert, and we have confidence that he's the right individual to champion these initiatives.

On the matter of *C. difficile*: This is a well-known threat, and the obligation is for all of those across health care, including those who run our hospitals, to take this very seriously. Only an all-hands-on-deck strategy will be successful for us—

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Howard Hampton:** The McGuinty government talks about "all hands on deck." The reality is this, and Ombudsman Marin points this out: Ontario is the only province in Canada whose Ombudsman does not have a mandate to oversee hospitals. Ontario is the only laggard here. While 260 people die, and many more probably



died, Ontario is the only province that denies the Ombudsman to go in and look at the operations of hospitals. Despite this, Ombudsman Marin's office receives many complaints about hospitals every year, but says to those members of the public, "I'm sorry; the McGuinty government won't allow me to investigate."

A total of 228 complaints about hospitals were received in 2007 alone. After every other province in Canada has done this, what's the excuse of the McGuinty government, while 260 people have already died?

**Hon. George Smitherman:** The position on this matter is very clear. We've had a coroner's investigation into the circumstances in Sault Ste. Marie; we have the very evidence that the Joe Brant investigation has provided; we have recommendations from the provincial infectious disease advisory committee; and we have established leadership in the form of Dr. Baker.

Adding to that, we've dramatically enhanced transparency across a wide range of indications, which will enhance the knowledge that the public has about circumstances occurring in hospitals. We agree that this will enhance the obligation on the part of those hospitals and all who attend there—patients, visitors and staff alike—to be very attentive to the circumstances which lead to the spread of infectious disease, like *C. difficile*. That's why it's necessary for all of us to recognize our obligations when we're visiting hospitals and when we're present in those environments. Only taking these kinds of precautions and having everybody be engaged will provide the necessary patient safety that we all strive for. We have confidence that Dr. Baker can lead these initiatives on behalf of the—

**The Speaker (Hon. Steve Peters):** Thank you.

#### APPRENTICESHIP TRAINING

**Mr. Garfield Dunlop:** My question today is for the Premier. Premier, the issue of unreasonable and unfair apprenticeship ratios in the construction and manufacturing trades has been raised in this House several times over the past few months. We on this side of the House believe that the ratios are outdated and should be changed so that young men and women will have more apprenticeship opportunities and our businesses can play on a more even playing field with all of the other provinces. I have to remind you that Ontario is the only province in Canada that does not have one-to-one ratios. You said in this House that you would look into this disparity. Premier, can you report to this House today, and what will you do about the unfairness of our apprenticeship ratios?

**Hon. Dalton McGuinty:** We have just recently received a report from a Mr. Armstrong. That report has now been placed online at the Training, Colleges and Universities website. We are consulting Ontarians. That is a myriad of recommendations put forward by Mr. Armstrong, including one to establish a new college of trades. In part, that college would assume responsibility for a regular review of ratios. We've made that report

public. We're now consulting with Ontarians, and we're eager to hear from them.

**Mr. Garfield Dunlop:** Premier, today in the west members' gallery we have two young would-be apprentices, who are joined by the owner of Orser Technical of Orillia, a business established more than 70 years ago, and Mary Ingram-Haigh, the president of the Ontario Electrical League. Ryan Briggs came to Orser as a result of the secondary school co-op program and Matt Strongman moved back home to Orillia as a third-year apprentice from Hamilton. These young men are considered excellent employees.

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Orser Technical currently has seven journeymen and three other apprentices. Matt and Ryan cannot continue to work for Orser. They will be terminated immediately, and they will not be terminated because of a lack of work. A ratio change would resolve this problem immediately.

Premier, what advice would you give to Matt and Ryan about pursuing a career as licensed electricians here in Ontario, or should we just send them off to Alberta?

**Hon. Dalton McGuinty:** First of all, I want to congratulate the gentlemen involved for their perseverance, for their initiative and for their determination.

I can report, broadly speaking, that electrical apprenticeship registrations have increased by 32% since 2003. I know that we have 100,000 more apprentices studying today. I know that we've got this recent report. We know that we have an issue here, but I think the real issue is, what's the best way to deal with it?

We've made the report available. We've put it online and we're asking for Ontarians to get back to us. We expect that we'll hear from a variety of stakeholders, and once we have that information in hand, we'll be prepared and we'll be eager to move quickly.

#### DRIVER LICENCES

**Mr. Gilles Bisson:** My question is to the Premier. Premier, you'll know that in the area of Kingston, there was a tragic accident some years ago where four people lost their lives as the result of an individual who was drinking and driving. As a result of that accident, there was a lifetime ban issued on this individual so that no future driver's licence could be issued. Surprise, surprise: The police in the local area pulled over a gentleman for routine inspection and found that this person who got the ban had gotten back his driver's licence from the Ministry of Transportation.

My question to you is simply this: How can Ontarians have any confidence in the Ministry of Transportation if it can't enforce a simple driver's licence ban?

**Hon. Dalton McGuinty:** To the Minister of Transportation.

**Hon. James J. Bradley:** The question is an excellent question, as it always is from the critic.

First of all, I would like to reveal to him that the individual in question no longer holds any type of driver's



licence. In 1999, when the driver was convicted and prohibited from driving for life, the conviction information submitted to the ministry contained a different date of birth than the date listed in the individual's driver's licence, so we're obviously concerned about that. Staff immediately began reviewing records and working with Kingston police to determine if this was in fact the same individual. They have finalized the review, and it was determined that more than one record indeed does exist. When the driver was convicted, the conviction information submitted to the ministry contained that different birthdate.

We have made recent changes to ensure that accurate information is received from the courts, thus ensuring that the proper conviction information can be placed against the driver's—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Gilles Bisson:** That makes things even worse. At the end of the day, if an individual is able to go forward and reapply for a licence, and we don't have better checks and balances in the system and allow somebody to get a licence who shouldn't, it tells us we've got a problem.

You have previous driver's licence numbers that you can go by. A person's first and last name might be a good indication, a person's address. There are all kinds of checks and balances when it comes to the data within the database that should have picked this up.

I say again, what kind of confidence should we as Ontarians have in you as the minister, in your registry and your system, if you're issuing licences to people who have been banned for life due to drunk driving? I ask the question again.

**Hon. James J. Bradley:** And I will repeat the answer I gave to the member's excellent question. I noted for him that we have made recent changes to ensure that accurate information is received from the courts, thus ensuring proper conviction information can be placed against the right driving record.

In this particular case, which started back in 1999, the information that was transferred was not accurate. By the changes we have made, we have significantly reduced the risk that that can happen at the present time.

As you know, in all of Canada, we have the toughest penalties for those people who are convicted of these matters, who have their licences suspended. This particular matter, as I said, was of great concern. The person doesn't have a licence at the present time. Immediately upon getting this information, that was looked after.

## WATER QUALITY

**Mr. Phil McNeely:** My question is to the Minister of the Environment. There's a lot of concern in my community right now about a sewage spill that happened in the city of Ottawa in the summer of 2006. About 960,000 cubic metres of raw sewage and storm water was allowed to flow into the Ottawa River. This spill of almost a

million cubic metres of sewage polluted the Ottawa River downstream and closed the beach at Petrie Island for almost the complete summer of 2006. When the beach's swimming area was finally opened in 2006, it was an exciting time for the community as we welcomed the summer season. Unfortunately, it was the same year as the unacceptable spill of sewage in the Ottawa River. As a long-time advocate for Petrie Island Beach, it's very important that the members of my community feel comfortable to bring their families and friends to the beach. While I understand that the actions were probably taken, I want to know from the ministry what you are doing about that spill.

**Hon. John Gerretsen:** Let me first of all thank this member not only for the question but for the great advocacy he's doing in his area, particularly with respect to this particular situation. I understand that the mayor of Ottawa has also requested to do a special investigation; it's ongoing right now.

When the new information came forward from Ottawa public health that linked the spill at the Keefer station to the closures at the area beach, my ministry began to review its files immediately to see what we knew about the incident. I can tell you that my ministry officials have not been able to locate any notification of the details of this particular incident to the Spills Action Centre until the city of Ottawa wrote to us in May of last year. I can tell you that at that point in time, our investigations and enforcement branch went into action and is currently conducting an investigation, and looks forward to submitting the results on this in the near future.

**Mr. Phil McNeely:** Summer is here, and Ottawa-area families want to be assured that their beaches are safe. They do not want another season of beach closures. People in the Ottawa area want to be assured that the \$2.5-million investment made to provide a beautiful swimming area at Petrie Island will be protected. They want to know why sewage bypasses, like the one that started this spill, can happen in the first place and what's being done in Ottawa to reduce them. They want to make sure that all precautions are taken to protect their families this summer.

I speak on behalf of the community when I ask the minister, what action is being taken to stop this type of spill and defend against another season of beach closures and impaired water quality in our beautiful Ottawa River?

**Hon. John Gerretsen:** As the member is aware, in older communities like the city of Ottawa and some of the older parts of this province, there are often combined sewers that basically meet at both sanitary and storm water runoff through a single pipe to a sewage treatment facility. Sometimes, when there is a major storm, there is an overflow, and that happens, and obviously we'd like to see those occur as infrequently as possible. Much work has been done over the years by both the province and the local municipalities to make sure that sewage treatment plants are upgraded and that storm sewers are separated from sanitary sewers, but much more work needs to be done.



The ministry is working to accelerate the approvals for the city's other two major combined sewer overflow locations that will result in significant reductions in the occurrences of these combined sewer overloads.

### POLYGAMY

**Ms. Lisa MacLeod:** To the Minister of Government and Consumer Services: Will you uphold the rule of law and section 15(1) of the Charter of Rights and Freedoms, as it pertains to gender equality, and enforce the law and immediately strip a man, Aly Hindy, of his ability to perform marriages in Ontario and of knowingly breaking Canadian marriage laws by performing polygamist marriages illegally in Ontario?

**Hon. Ted McMeekin:** We have a process with respect to the registration of marriages in the province of Ontario, and we have no evidence in any form to indicate that anyone is performing polygamist marriages.

**Ms. Lisa MacLeod:** Mr. Hindy actually acknowledged in the *Toronto Star* on Saturday—with a circulation of, I believe, 640,000 readers on Saturday. This is about gender equality and it's about upholding the rule of law. Polygamy is inconsistent with the rule of law in Ontario and in Canada, and it is your responsibility to take decisive action. You're responsible for enforcing the law in this province.

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Alia Hogben of the Canadian Council of Muslim Women asks, "Why are they so wishy-washy when it comes to this law? Why aren't the officials doing something" about it? So I ask, on behalf of Alia and the women of this province: What will it take for this minister to put an end to McGuinty-endorsed polygamy in this province and the fraud that is taking place against Ontario women and the people of this province?

**Hon. Ted McMeekin:** Under the Criminal Code of Canada, polygamy is, as we all know, a crime. Our office of the Registrar General has no records of anyone trying to register multiple marriages. Under the Marriage Act, municipalities are responsible for issuing marriage licences and ensuring the eligibility of the individuals who request that licence. I want to repeat again for the record that we have received no requests to register multiple marriages.

### POVERTY

**M<sup>me</sup> France Gélinas:** My question is to the Minister of Children and Youth Services. Yesterday, the minister apologized profusely for forgetting to invite me to the poverty consultation in Sudbury, and I accept your apology. Can the minister tell us now how much notice she gave to other invitees to yesterday's meeting in Sudbury?

**Hon. Deborah Matthews:** Again, let me publicly apologize to the member opposite for failing to invite her to the consultation. I did offer to go back to her riding and have a consultation there with her with the people she would like to have there. So again, I apologize.

We worked closely with the Social Planning Council in Sudbury to pull people together to the consultation who represented a broad perspective of voices in Sudbury and the Sudbury area, and we had a very interesting conversation in Sudbury. After the consultation I went to Better Beginnings, Better Futures, which is an extraordinary program where children in the community have access to tremendous after-school programs.

**M<sup>me</sup> France Gélinas:** I realize the minister claims that she wants wide-ranging engagement. When I couldn't attend, I tried to contact people and say, "Bring my views forward," so I contacted the names on her invitee list. The first one was the dean of the faculty of social work, followed by the chair of the Kimberly Rogers committee, followed by the executive director of the Habitat for Humanity, and the list goes on and on, but the answers kind of surprised me. Some were promised an e-mail that never came. Others received a phone call on Friday—the consultation was Monday—and others on Saturday, for the Monday consultation. The winner is a message on voicemail on Monday morning for a Monday afternoon meeting of people with busy agendas. The last-minute invite meant that they could not attend. Minister, what am I supposed to think of all this?

**Hon. Deborah Matthews:** As I said earlier, we worked closely with the Sudbury Social Planning Council to get a good mix of people there. This was the seventh of 13 consultations I'm doing across the province. I can tell you that the information we're gaining is very insightful and thoughtful. I can tell you that people in the province are prepared to address poverty reduction in a way that I don't think they've ever thought about before. We're hearing a lot about a willingness to work collaboratively together, to work together to help people move forward in their lives, to get the supports they need to move from poverty into full participation in our society and in our economy. I'm very much looking forward to the remaining six consultations.

### CONSUMER PROTECTION

**Mr. Bob Delaney:** My question is for the Minister of Government and Consumer Services. During the past few years, there has been in western Mississauga a proliferation of stores that offer payday loans. I'm concerned about the impact of these stores on our community and across Ontario. Environics and Ipsos Reid studies of the Canadian payday lending industry indicate that the borrowers' household incomes are lower than those of the general population. Payday loan borrowers are more likely to have dependent children and less likely to understand the true cost of their loan. Significantly, even studies commissioned by the industry itself reveal that approximately 25% of their clientele have household incomes near or below Stats Canada's low-income poverty line. My question is, what is this ministry doing to protect Ontario's most vulnerable from payday—

**The Speaker (Hon. Steve Peters):** Thank you. Minister of Government and Consumer Services.



**Hon. Ted McMeekin:** In answer to the member's question, he may be aware that I had the great pleasure on March 31 to introduce the Payday Loans Act, 2008. This legislation, if passed, will provide a fair and balanced approach to regulating the payday lending industry in Ontario. It will protect thousands of Ontarians who from time to time come to rely on payday loans to help them through a short-term financial squeeze.

The legislation will—and let me just recap—require lenders and brokers to be licensed, provide authority to set a ceiling on the total cost of borrowing, prohibit back-to-back and concurrent loans, and permit borrowers to cancel loan agreements without penalty within 48 hours, a two-day cooling-off period. There will also be an education component and—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Bob Delaney:** There are payday lenders where coffee shops used to be in western Mississauga. According to a study by Ernst and Young, first-time payday borrowers ultimately take out an average of 15 loans. This same study also stated that the industry itself claims the majority of its profits come from repeat borrowers who are unable to pay off the loan on time. Not enough Canadians between the ages of 21 and 30 consider the consequences of rising interest rates when they borrow money. Consumers aged 18 to 25 have significant purchasing power but often lack the experience needed to protect themselves against issues like money management, credit risk and identity theft.

Would the minister tell us what is being done right now to protect consumers, and especially young consumers, from payday lenders and other debt-related—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. Ted McMeekin:** —ministry with these consumer questions, to his credit. Every single day, our consumer protection bureau is committed to making sure Ontario's marketplace is safe for consumers. Recently, I had the good fortune during Consumer Awareness Week to launch our youth awareness campaign. That campaign will enhance the awareness of smart money management for our young people, specifically related to identity theft and protecting young people when making online purchases. It will target young consumers in secondary schools, colleges and universities, and in the workplace. Specifically, the campaign will include a young consumers' advisory group, an outreach program, education modules and an interactive youth consumer e-zone on Ontario's consumer protection—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### HIGHWAY SAFETY

**Mr. John O'Toole:** I was going to direct this question to the Premier, but since he's not here, I'll direct it directly to the Minister of Transportation.

**The Speaker (Hon. Steve Peters):** You know the understanding within the chamber. We don't make reference to members' absences.

**Mr. John O'Toole:** I apologize. I just didn't want to surprise the Minister of Transportation, because you would know, Minister, that yesterday the Premier had sort of a change of heart, a flip-flop, or he reversed direction or whatever. He was responding to a question about technology, cellphones and other devices while driving on our highways. Now I gather he's flipped it over to you and charged you with doing some groundwork and research. I want to give you the opportunity to outline who the stakeholders are that you're going to deal with. I want to put it on the record clearly that we're here to help you. This side here, we're here to help you to make the roads safer. Will you do the right thing? And who are you going to consult with?

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**Hon. James J. Bradley:** I would like to thank the member very much for the question. I'm always happy to hear that members of the opposition are here to help members of the government out. It's really nice to hear that. I welcome suggestions from all the citizens of Ontario on matters of this kind.

What the Premier has asked me to do—and I have been doing some consultation on this—is to look at what other jurisdictions have done and what is working. One of the initiatives we've looked at is the banning of the cellphone itself. That is one initiative. But as the member would know, there are many other distractions that present themselves to drivers who are in a vehicle. So the Premier has asked that I look widely at all of the potential distractions that are there and try to find a situation where we can bring about any changes that would—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary.

**Mr. John O'Toole:** Minister, doing the right thing is something that we look forward to happening over there. Right now, if I look at the legislation, even this morning and the past week or so, most of the legislation's been copied from other private members' initiatives. The smoking ban in the car was Mrs. Witmer's and Mr. Oraziotti's bill. As a matter of fact, the speed limiter bill was one that Laurie Scott had brought forward. There's been a lot of not focusing on the real issues in the economy and copying private members' bills that are, really, the right thing to do.

Under this bill—you know I've done the work. I want to make sure that you consult with the Canadian Vehicle Manufacturers' Association, the police associations, the research that has been done on this, and the inquests that have been done. As you said, other jurisdictions have already done it.

When is this going to start? When is our first meeting so that we can get on with this, instead of more delays and adjourning of the House for the summer too early?

**Hon. James J. Bradley:** What's interesting is that when they bring their bills forward as private members, there seems to be some support for them. As soon as they



become government bills, the opposition party, the Conservative Party, have about four different positions on them. They want to give credit to the person who brought the bill forward, and then they want to still denounce the bill when the government brings it forward.

The members should talk to John Tory, because I'm informed that he said this morning—this is what John Tory said this morning, that laws aren't necessary, just more public education. He asked us to slow down. My friend Mr. O'Toole is asking that we speed up the process; his leader, John Tory, wants to slow the process down. Perhaps he could give up his seat to Mr. Tory and he could present the position of the party at that time.

### AUTISM TREATMENT

**Mr. Peter Kormos:** I have a question to the Minister of Children and Youth Services. Young Riley Methot, three and a half years old, lives down in Port Colborne with his folks. When he was two, he was diagnosed with autism, and 25 hours a week of IBI treatment was prescribed at the time. A year and a half later, this boy has not received one hour of IBI treatment. How is that fair to Riley Methot and other kids like him?

**Hon. Deborah Matthews:** Let me start by saying that I don't think any of us, unless we have a child with autism ourselves, understand what it is like to have a child with autism. I have spent quite a bit of time, actually, talking to families with autism in their families, and I understand, as best I can, the challenges they face.

Having said that, I think it's very important that we all recognize how far we have come in a relatively short period of time. Ten years ago, the budget for autism in this province was half a million dollars; today, it's over \$150 million. So from half a million to \$151 million certainly speaks to the commitment that this government has to increasing services for children with autism.

**Mr. Peter Kormos:** That doesn't mean a heck of a lot to Riley and his parents. His parents are being told that he has yet another year and a half on that waiting list. By then, he'll be five. He may well be in junior K or full-day kindergarten, where there is no IBI.

This minister should know that IBI treatment is more effective the earlier the kid is exposed to it. This kid is still non-verbal. What kind of chance does Riley Methot have in Dalton McGuinty's Ontario?

**Hon. Deborah Matthews:** I certainly acknowledge that there's a lot more work to do. I don't think anybody would argue that we've done all we have to do to help children with autism.

Let's look at the progress we've made. We ended the previous government's age-six cut-off because we don't think that because a child celebrates a birthday they no longer benefit from IBI therapy. Since we were elected in 2003, we have more than tripled funding for children with autism. We've gone from about 500 kids receiving IBI to more than 1,400. We've also introduced help for families—respite, summer camp—so that families with children with autism get a little bit of a break.

I think it's important to ask the question, though: How many kids received IBI when you were in government? Zero.

### GRIDLOCK

**Ms. Sophia Aggelonitis:** My question is for the Minister of Transportation. The increasing amount of traffic is causing ever-increasing gridlock in my community of Hamilton and throughout the province. As the population of the province grows, so too does the number of vehicles on our roads.

These congestion delays cost my constituents and all Ontarians time and money. Individuals are spending more time in transit than ever before. This is time that they could be spending with their families, time that they could be using to work, and for those who drive, this is time spent burning extra fuel.

Can the minister please tell this House what he is doing to increase road infrastructure to help ease the congestion on our roads?

**Hon. James J. Bradley:** That's an excellent question, and I have some statistics on this that will be helpful.

This government is working hard to ease congestion and create a seamless and more convenient transportation network. That is why, since 2003, we have committed more than \$155 million to the city of Hamilton for highway infrastructure, with an additional \$137 million for municipal roads and bridges.

Benefiting from this was Highway 403 from King Street to Wilson Street, where recent completed improvements included resurfacing, operational and lighting improvements. Current construction is under way to improve the drive on Highway 6 between Highway 403 and Highway 5. I understand a new interchange and passing lane are being created. This project will finish this year. We have high-occupancy vehicle lanes for Trafalgar Road in Oakville and Guelph Line in Burlington that are coming online, allowing commuters to get home faster.

**Ms. Sophia Aggelonitis:** Gridlock is an issue that is also closely related to public transit. It works to ease congestion and is the better choice environmentally, as the fewer cars there are on the roads, the fewer greenhouse gas emissions are created.

I'm hoping that the Minister of Transportation can tell this House and the residents of Hamilton Mountain and Ontario what measures he's taking to reduce the number of cars on the roads and to increase the transportation services available to my constituents.

**Hon. James J. Bradley:** As the member knows, public transit is a high priority of the McGuinty government. Significant investments have been made in transportation. That being said, there's always a lot more work to be done, which is why our government continues to work with its municipal partners on funding public transit initiatives.

Since 2003, we have invested over \$90 million in the city of Hamilton, including almost \$40 million in



provincial gas tax funding. The city of Hamilton has used this funding to improve its transit in a variety of ways: building a new bus terminal at Mohawk College and acquiring a GPS-automated vehicle location and control system. The spring budget saw almost \$30 million committed to Hamilton, including funding for the James Street North GO station. Once completed, not only will this station allow for better GO service in Hamilton, it will also be the gateway for GO service to Niagara.

We will continue to work with our municipalities for better public transit. I thank the member for raising such an important question in this Legislature.

1150

### SCHOOL CLOSURES

**Mrs. Joyce Savoline:** To the Minister of Education: Will the minister commit today to immediately release the report on the list of Ontario's schools up for review for possible closure?

**Hon. Kathleen O. Wynne:** I don't have that list. The fact is that school boards make those determinations board by board, community by community. As I said in an answer to a previous question, it would be irresponsible for any government to tie the hands of locally elected school trustees to make those decisions based on the programming that's required for their students in their communities. We actually had a moratorium in place for two years on school closures, and the fact was that at the end of that moratorium, school boards were asking us for pupil accommodation review guidelines, which we have put in place, because they need to be able to make the decisions that are consistent with the need for program delivery in their own communities.

**Mrs. Joyce Savoline:** Our information is that the minister does have the list. The parents deserve to know where they're going to send their kids in September. This is the end of May. The trustees in the gallery and their school boards need to plan for the fall, and the public deserves to have this information now. Minister, what are you trying to hide and why are you keeping this report under wraps?

**Hon. Kathleen O. Wynne:** If I understand the question of the member opposite—I'm not sure what her understanding of how education works in Ontario is, but here's the way it works. If a school board is going to put a school under review for closure or consolidation, that is a local process. If the parents in a community want information about those processes, they need to talk with their trustees. The trustees in the gallery have access to that information on the ground. It would be inane for the Minister of Education, on the 22nd floor of the Mowat Block, to be trying to micromanage the school accommodation reviews in the province of Ontario, across this vast province. It would make no sense whatsoever.

I say to the member opposite, if the member opposite is really concerned about the communities in this province, then talk to the parents about connecting with their trustees and having those local discussions. The

pupil accommodation review guidelines provide for consultation in every community.

### NORTHERN ONTARIO DEVELOPMENT

**Mr. Howard Hampton:** A question to the Minister of Northern Development and Mines. With much fanfare, the McGuinty government has been promoting its public consultations on the growth plan for the north. My question for the minister is this: Does the minister believe it is appropriate that a community that has lost over 600 direct manufacturing jobs since 2002, that has had \$42 million in wages and salaries taken out of the local economy, and that has seen median family income decline by more than 6.5% will not have any public consultation under the McGuinty government's northern growth plan?

**Hon. Michael Gravelle:** We're very excited about the development of the growth plan for northern Ontario. This is going to be an economic and strategic long-term vision for the north. I'm co-chairing with my colleague David Caplan, the Minister of Public Infrastructure Renewal.

Indeed, what I think you're talking about is the process that we're going through now. We're very excited to be in the action phase, and we are moving around the north and having regional consultations. The actual public consultation—the full public consultation process—will be taking place in the fall. The regional forums that are happening now are happening in 16 communities across the north. We haven't determined all the locations yet, so I'm not sure what community you're referring to, but we are involving all northerners in this process. We have got our website in place, [placestogrow.ca](http://placestogrow.ca). We're very excited. I would think that the leader of the third party would be very supportive of this economic development vision for the north, and I'm disappointed that you're not.

**Mr. Howard Hampton:** We've checked your websites. I had my staff contact your ministerial staff.

We're talking here about the city of Kenora, a city that's lost its paper mill, that has one sawmill completely shut down and gone and another sawmill where everyone is laid off. The OSB mill has close to 100 people laid off. Altogether, 600 good manufacturing jobs have disappeared—\$42 million in wages and salaries taken out of the economy in the sixth-largest city in northern Ontario.

I'm simply asking, are you going to hold a public consultation on your growth plan in a city like Kenora that has been so hard-hit under the McGuinty government?

**Hon. Michael Gravelle:** Again, we are very excited about this action plan phase of the growth plan. These are regional forums, regional focus groups. Indeed, we have not determined all the locations that are taking part. Certainly, Kenora is not the only community that wants to host this particular session. What I can tell you is that when the full public consultation portion takes place, we will again be including as many northern communities as possible.



We're very excited about this. As you know, we're holding them in Dryden, we're holding them in Sioux Lookout. Kenora members will be very pleased to host the Northern Ontario Heritage Fund. So we're still trying to determine what locations they will be at, but Kenora will be very much an important part of the public consultation—

**The Speaker (Hon. Steve Peters):** The time for question period has ended.

## PETITIONS

### LORD'S PRAYER

**Mr. Jim Wilson:** I want to thank the congregation of the Alliston Pentecostal Church for sending this petition to me.

"Whereas Premier Dalton McGuinty has called on the Ontario Legislature to consider removing the Lord's Prayer from its daily proceedings; and

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe; and

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"We, the undersigned, petition the Legislative Assembly of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

I agree with this petition and I have signed it.

### LORD'S PRAYER

**Mr. Michael Prue:** I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Premier Dalton McGuinty has called on the Ontario Legislature to consider removing the Lord's Prayer from its daily proceedings; and

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe; and

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"We, the undersigned, petition the Legislative Assembly of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

I will affix my signature thereto.

### FIREARMS CONTROL

**Mr. Reza Moridi:** "To the Legislative Assembly of Ontario:

"Whereas the growing number of unlawful firearms in motor vehicles is threatening innocent citizens and our police officers;

"Whereas police officers, military personnel and lawfully licensed persons are the only people allowed to possess firearms; and

"Whereas a growing number of unlawful firearms are transported, smuggled and being found in motor vehicles; and

"Whereas impounding motor vehicles and suspending driver's licences of persons possessing unlawful firearms would aid the police in their efforts to make our streets safer;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 56, entitled the Unlawful Firearms in Vehicles Act, 2008, into law, so that we can reduce the number of crimes involving firearms in our communities."

I support this petition and I sign it.

### LORD'S PRAYER

**Mr. Jerry J. Ouellette:** I have a petition to the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its place at the beginning of daily proceedings in the Legislature; and

"Whereas the recitation of the Lord's Prayer has been an integral part of our spiritual and parliamentary tradition since it was first established in 1793 under Lieutenant Governor John Graves Simcoe; and

"Whereas the Lord's Prayer's message is one of forgiveness, of providing for those in need of their 'daily bread' and of preserving us from the evils that we may fall into; it is a valuable guide and lesson for a chamber that is too often an arena for conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I affix my name in full support.

1200

### PROTECTION FOR MINERS

**M<sup>me</sup> France Gélinas:** I have a petition from the people of Schreiber:

"Whereas current legislation contained in the Ontario Health and Safety Act and regulations for mines and mining plants does not adequately protect the lives of miners, we request revisions to the act;

"Lyle Everett Defoe," a resident of Wanapitei in my riding, "and the scoop tram he was operating fell 150 feet down an open stope (July 23, 2007). Lyle was 25 years and 15 days old when he was killed at Xstrata Kidd Creek mine site, Timmins....

"The stope where Lyle was killed was protected by a length of orange plastic snow fence and a rope with a warning sign. These barriers would not have been visible if the bucket of the scoop tram was raised. Lyle's body was recovered from behind the scoop tram."

They ask the Legislative Assembly that:

"Concrete berms must be mandatory to protect all open stopes and raises;

"All miners and contractors working underground must have working communication devices and personal locators;

"All equipment involved in injuries and fatalities must be recovered and examined unless such recovery would endanger the lives of others;

"The entire act must be reviewed and amended to better protect underground workers."

I support this petition and will affix my name to it and send it with page Jocelyn.

### FIREARMS CONTROL

**Mr. Tony Ruprecht:** This petition has to do with guns in vehicles and it goes in tandem with Bill 56. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas innocent people are being victimized by the growing number of unlawful firearms in our communities; and

"Whereas police officers, military personnel and lawfully licensed persons are the only people allowed to possess firearms; and

"Whereas a growing number of unlawful firearms are transported, smuggled and found in motor vehicles; and

"Whereas impounding motor vehicles and suspending driver's licence of persons possessing unlawful firearms in motor vehicles would aid the police in their efforts to make our streets safer;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 56, entitled the Unlawful Firearms in Vehicles Act, 2008, into law, so that we can reduce the number of crimes involving firearms in our communities."

Since I agree, I'm delighted to put my signature on this document.

### HOSPITAL FUNDING

**Mr. Bill Murdoch:** I have a petition sent to me from Lynn Silverton near Flesherton:

"To the Legislative Assembly of Ontario:

"Whereas Grey Bruce Health Services' Markdale hospital is the only health care facility between Owen Sound and Orangeville on the Highway 10 corridor;

"Whereas the community of Markdale has been promised a new state-of-the-art hospital in Markdale;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care announce as soon as possible its intended construction

date for the new Markdale hospital and ensure that the care needs of the patients and families of our community are met in a timely manner."

I have signed this.

### LONG-TERM CARE

**M<sup>me</sup> France Gélinas:** I have a petition from the people of London:

"Whereas understaffing in Ontario's nursing homes is a serious problem resulting in inadequate care for residents and unsafe conditions for staff;

"Whereas after the Harris government removed the regulations providing minimum care levels in 1995, hours of care dropped below the previous 2.25 hour/day minimum;

"Whereas the recent improvements in hours of care are not adequate, vary widely and are not held to accountable standards;

"Whereas there is currently nothing in legislation to protect residents and staff from renewed cuts to care levels by future governments; and

"Whereas care needs have measurably increased with aging and the movement of people with more complex health needs from hospitals into long-term-care homes;" they ask the assembly to

"Immediately enact and fund an average care standard of 3.5 hours per resident per day in the regulations under the new Long-Term Care Homes Act."

I support this petition, will affix my name to it, and send it with page Damian.

### EMPLOYMENT INSURANCE

**Mr. Lou Rinaldi:** I have a petition here addressed to the Legislative Assembly of Ontario:

"Whereas the federal government's employment insurance surplus now stands at \$54 billion; and

"Whereas over 75% of Ontario's unemployed are not eligible for employment insurance because of Ottawa's unfair eligibility rules; and

"Whereas an Ontario worker has to work more weeks to qualify and receives fewer weeks of benefits than other Canadian unemployed workers; and

"Whereas the average Ontario unemployed worker gets \$4,000 less in EI benefits than unemployed workers in other provinces and thus ... are not qualifying for many retraining programs;

"We, the undersigned, petition the Legislative Assembly of Ontario to press the federal government to reform the employment insurance program and to end this discrimination and unfairness towards Ontario's unemployed workers."

I agree and I will sign this petition and get Alie to send it to the desk.



## LORD'S PRAYER

**Mr. Tim Hudak:** I'm pleased to present a petition signed by many residents of the Fonthill and Ridgeville area about preserving the tradition of the Lord's Prayer in the Ontario Legislature. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Dalton McGuinty is proposing that the Ontario Legislature remove the tradition of reciting the Lord's Prayer from its daily proceedings; and

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe;

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"We, the undersigned, petition the Legislative Assembly of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

In support, I affix my signature.

## HOSPITAL FUNDING

**Mr. Joe Dickson:** A petition to the Legislative Assembly of Ontario:

"Whereas the Central East Local Health Integration Network ... board of directors has approved the Rouge Valley Health System's deficit elimination plan, subject to public meetings; and

"Whereas it is important to ensure that the new birthing unit at Centenary hospital, a \$20-million expansion that will see 16 new labour, delivery, recovery and postpartum ... birthing rooms and an additional 21 postpartum rooms added by October 2008, will not cause any decline in the pediatric services currently provided at the Ajax-Pickering hospital; and

"Whereas, with the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a project that could reach \$100 million, of which 90% is funded by the Ontario government, it is important to continue to have a complete maternity unit at the Ajax hospital; and

"Whereas it is also imperative for the Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario ... funding; and

"Whereas the parents of Ajax and Pickering deserve the right to have their children born in their own community, where they have chosen to live and work;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Rouge Valley Health System continue to provide the current level of service; and

"That our Ajax-Pickering hospital now serves the fastest-growing communities of west Durham; and

"That the Ajax-Pickering hospital retain its full maternity unit."

I will affix my signature and pass it to Aaron.

## LORD'S PRAYER

**Mr. Bill Murdoch:** I have another petition that's been sent to me by Percy and Betty Warrilow of Owen Sound. It's to the Legislative Assembly of Ontario.

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from daily proceedings in the Ontario Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message of forgiveness and the avoidance of evil is universal to the human condition; it is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I have signed my name.

## HOME CARE

**M<sup>me</sup> France Gélinas:** I have a petition from the people from the Marmora area, and it goes:

"Whereas the Ontario government has continued the practice of competitive bidding for home care services; and

"Whereas the competitive bidding process has increased the privatization of Ontario's health care delivery, in direct violation of the Commitment to the Future of Medicare Act, 2004; and

"Whereas competitive bidding for home care services has decreased both the continuity and quality of care available to home care clients; and

"Whereas home care workers do not enjoy the same employment rights, such as successor rights, as all other Ontario workers have, which deprives them of termination rights, seniority rights and the right to move with their work when their employer agency loses a contract; ...."

They ask the government:

"(1) to immediately stop the competitive bidding for home care services so home care clients can receive the continuity and quality of care they deserve; and

"(2) to extend successor rights under the Labour Relations Act to home care workers to ensure the home care sector is able to retain a workforce that is responsive to clients' needs."

I fully support this petition, will sign it and send it with page Christopher.

## FIREARMS CONTROL

**Ms. Sophia Aggelonitis:** I have a petition to the Legislative Assembly of Ontario.

"Whereas innocent people are being victimized by the growing number of unlawful firearms in our communities; and

"Whereas police officers, military personnel and lawfully licensed persons are the only people allowed to possess firearms; and

"Whereas a growing number of unlawful firearms are transported, smuggled and found in motor vehicles; and

"Whereas impounding motor vehicles and suspending driver's licences of persons possessing unlawful firearms in motor vehicles would aid the police in their efforts to make our streets safer;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 56, entitled the Unlawful Firearms in Vehicles Act, 2008, into law so that we can reduce the number of crimes involving firearms in our communities."

I would affix my signature and give it to page Taylor.

#### HEALTH CARD RENEWAL CLINIC

**Mr. Tim Hudak:** I'm reading another petition about bringing health card renewal services closer to Glanbrook residents that reads as follows:

"Whereas seniors, the disabled, families with young children and other Mount Hope and Binbrook residents are forced to drive to downtown Hamilton to renew their Ontario health cards; and

"Whereas the province of Ontario mandates that health cards be renewed on a regular basis and that an Ontario health card must be presented to receive OHIP health services; and

"Whereas the Dalton McGuinty government has increased taxes and fees on local residents but has not improved services;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To work with the Ontario Ministry of Health to bring a mobile health card renewal clinic to the Mount Hope ... area...."

I support it with my signature.

**The Speaker (Hon. Steve Peters):** The time for petitions has ended. This House stands recessed until 3 p.m.

*The House recessed from 1212 to 1500.*

#### MEMBERS' STATEMENTS

##### RURAL ONTARIO

**Mr. Randy Hillier:** Today a delegation of business leaders from Smiths Falls came to Queen's Park to be heard. Contempt for rural Ontario by the McGuinty government was on full display for them today. While the business education tax harms and injures our local businesses, this government has chosen to bleed small businesses for six more years. It is the job of this government

not to pick winners and losers but to represent all of Ontario.

I asked for unanimous consent today, only to be shouted down by the minister responsible for rural affairs. I find her actions disgusting, but she is consistent in her assault on rural Ontario. The inaction on the BET is not only another example of this government's ignorance on autopilot but also a chance for the minister to show her true colours.

The business education tax is crippling eastern Ontario, and people who have taken a day off to be heard must be heard despite attempts to silence their voice.

Smiths Falls and rural Ontario win when we lose the BET.

#### CATHOLIC SCHOOL TRUSTEES

**Mr. Rosario Marchese:** On behalf of the New Democratic Party, I would like to welcome the Ontario Catholic School Trustees' Association to the Legislature. We very much would like to acknowledge the long history of service and dedication that Catholic trustees have provided for our province.

In spite of recent news stories about the problems being experienced in one school board, it is important to recognize the work of the OCSTA to ensure a quality education for all of the students it represents. OCSTA has also called for special education benchmarks, fair funding and for a regular, ongoing review of the funding formula to meet the needs of our students.

For years they have been dealing with a funding formula which has not provided enough money to do what they have been asked to do, and many Catholic boards have not been afraid to point that out.

OCSTA has always believed that education is about more than marks and test scores, and we solidly endorse that view. Thank you to all of them for the work they have done and will continue to do on behalf of parents and students throughout the province.

#### JACK CAPITANIO

**Mr. Monte Kwinter:** I rise to eulogize Giacomo—known as Jack—Capitanio, a friend, a colleague and an idealist who dedicated his life to equality and social justice.

After landing in Canada in the late 1940s, he realized that the working conditions of Italians in the construction industry were inhuman and deplorable, and fatal accidents were an almost daily occurrence. Immediately, he got involved in organizing the labour movement to improve the life of these hard-working people. He was involved in the first large labour demonstration at the CNE in the 1950s, where 25,000 Italian and other construction workers drew the public's attention to this state of affairs.

Jack joined the Liberal Party because he believed in the philosophy of the Liberal Party and the vision of Prime Minister Pearson, and later Prime Minister



Trudeau. At election time, Jack was always on the front line to help Liberal members of Parliament and members of the Ontario Legislature. He was also active at the municipal level and campaigned for mayoral candidates and councillors. He was there to put up signs, knock on doors, study political strategy and stimulate young people to get involved in politics.

Jack obtained his real estate agent licence in the 1980s, and with a partner started a successful marble business, which was formally opened by then-Premier David Peterson.

Jack was a giant and a very generous person, helping people of every nationality. He will be missed by his friends and relatives and by Liberal politicians at every level of government in the GTA.

Jack was an integral part of my 1985 campaign and bus-stopped with me in each of my next five election campaigns. He was a true friend and supporter and will be sorely missed.

Jack leaves behind his wife, Italia, and his son, Ross. May he rest in peace.

#### KIDS' FISHING DAY

**Mr. Jerry J. Ouellette:** I'd like to extend my sincere gratitude and appreciation to all the groups and volunteers who worked so hard for our eighth annual Kids' Fishing Day at Heber Down Conservation Area this past Saturday. What a wonderful, rewarding day it was for both children and adults alike, with a large crowd of well over 2,000 who came out to enjoy the sunshine and the outdoors.

Children were able to take part, at no charge, I might add, in a day filled with many events, including conservation and wetland displays, lure making, face painting, learning to cast, and fish identification.

Ducks Unlimited; Central Lake Ontario Conservation Authority; Kids, Cops and Canadian Tire; Muskies Canada; the Ministry of Natural Resources, Aurora district; Ontario Sporting Dog Association; Ontario Deer Hound Association; Oshawa Community Health Centre; South Oshawa Teen Council; Durham Regional Police; Pickering Rod and Gun Club; the Dream Centre; Valu-Mart Lindsay; Hawgtown Bassmasters; Eastview Boys and Girls Club; Simcoe Hall Settlement House; South Central Ontario Big Game Association; Emm's Sports; Quinte Elk Restoration; the Westmount Kiwanis Club and Ron Aldred; Dan McWilliams; Jim, Steve and Kelly's minor bantam hockey team, all contributed time and effort to the success of the event.

I would like to extend a special thanks to John Tory and John O'Toole, who took the time to attend the event and meet with the young anglers and volunteers, and also to the Toronto Sportsmen's Show, who year after year show their dedication to kids and fishing days.

Mostly, I'd like to thank all the parents and kids who participated. It was a great opportunity for children who usually don't have the chance to learn about fishing and

nature and have fun discovering the great outdoors at the same time.

Hundreds of rainbow trout were caught by the young anglers. But here's a little secret: There are many more trout to be caught.

#### INTERNATIONAL PLOWING MATCH

**Mr. David Ramsay:** I'm very proud to stand in the House today and bring to the attention of all members that the riding of Timiskaming-Cochrane is going to be hosting the International Plowing Match in 2009.

I would like to also, at the same time, congratulate my colleague Carol Mitchell from the riding of Huron-Bruce, who will be hosting this year's plowing match in September in Bruce county. I wish her and everyone involved in their committee all the best and thank them for the co-operation they've had with our local committee in Timiskaming.

The planning for the International Plowing Match in 2009 is well under way. I'd like to thank our committee, including our chairman Carman Kidd; treasurer Bob Norris; coordinator Darlene Bowen; and Norm Koch, the 2009 IPM director, for their very hard work.

It's interesting to note that some 53 subcommittees have been established, including everything from food services to parking.

I'm also pleased to say that the McGuinty government is committed to making this massive event a success in northern Ontario. By the way, this is the very first time this event is going to be held in northern Ontario. In the 2008 provincial budget, our government provided a total of \$1.7 million to support the IPM in 2009.

It's expected that the International Plowing Match will attract more than 80,000 visitors and bring in approximately \$20 million to the local economy.

This event will be a truly unique northern experience, as organizers will be showcasing life in the north, including displays on forestry and mining.

Again, I'd like to thank the organizers and wish everybody well and a good trip to Timiskaming in 2009.

#### CATHOLIC SCHOOL TRUSTEES

**Mrs. Joyce Savoline:** I rise in the House today to recognize Catholic Trustee Day in the province of Ontario. We are fortunate to have several trustees who have been with us in the members' gallery today.

In Canada alone, Catholic schools educate close to one million students.

It is the trustees who connect our communities with the schools, the educators, the students and their families. They are the keepers of the flame, so to speak, in our education system and are committed to instilling the key values of the Catholic faith in their students.

Catholic education views life as an integration of body, mind and spirit. Catholic education fosters the search for knowledge as a lifelong spiritual and academic quest.

Ontario has been greatly enriched by the hard work of Catholic teachers, administrators and Catholic trustees, who articulate and defend the values of Ontario's Catholic education system.

Thank you to the Catholic trustees throughout the province who have contributed and will continue to contribute to the lives and education of our young people, who are the leaders of tomorrow.

#### ALGOMA UNIVERSITY COLLEGE

**Mr. David Oraziotti:** I rise in the House to celebrate the historic legislation, introduced by our government yesterday, proposing to grant Algoma University College, in my riding of Sault Ste. Marie, a charter making it an independent university.

As a former board of governors' member at AUC, and having advocated for independence for nearly a decade, this is indeed great news for our community. I want to thank Premier McGuinty and Minister John Milloy for their tremendous support in moving forward with this legislation.

This initiative would improve the economic, cultural and social landscape of our community by enhancing the post-secondary education available to local students and further attracting national and international students. With independence, the school is projected to more than double its size to approximately 3,000 students, increasing the range of programs at the school, and they will certainly benefit our community.

1510

Here's what Dr. Celia Ross, president of Algoma University College, had to say: "Algoma University College is delighted. The introduction of the charter legislation and the passing of first reading in the Legislative Assembly of Ontario today is a giant step towards launching of the new Algoma University. Algoma U students are future leaders," in their communities and they will help "transform their communities. We will be the university for students who want innovative, community-based, hands-on programs in technology, science, business and liberal arts."

I'm encouraged by the positive support shown toward this initiative from all sides of the House and look forward to seeing this bill move quickly through the legislative process so that Algoma University College is able to become an independent university.

#### CYSTIC FIBROSIS

**Mr. Shafiq Qaadri:** I'm pleased to rise today in the House to recognize May as Cystic Fibrosis Awareness Month. Cystic fibrosis is the most common fatal inherited disease affecting young people in Canada. Early diagnosis and early treatment have contributed, of course, to improved survival and to improving the lives of people who suffer from this condition.

In April 2008, I'm pleased to note, Ontario became the second province to implement newborn screening for

cystic fibrosis. I'm proud to be part of a government that launched the most comprehensive newborn screening program in Canada to date. The program, based at the Children's Hospital of Eastern Ontario, has increased the number of rare genetic conditions screened from two to 28, including disorders such as cystic fibrosis and sickle cell disease.

Canadians marked Cystic Fibrosis Awareness Month with the Great Strides Walk on Sunday, May 25 in seven locations across Ontario, including Chatham-Kent, Cornwall, the GTA, Hamilton, Huron-Oxford-Perth, Kitchener-Waterloo and London.

Please join me in congratulating the members and leaders of the Canadian Cystic Fibrosis Foundation and in extending to them the very best wishes of all members of this assembly and the people of Ontario for a highly successful Cystic Fibrosis Awareness Month.

#### CATHOLIC SCHOOL TRUSTEES

**Mr. Jim Brownell:** Education is a priority for this government and we are fortunate in Ontario to have excellent publicly funded education systems. The Ontario Catholic School Trustees' Association is a voice for publicly funded Catholic education in Ontario, representing the interests of 34 English Catholic school boards. I am pleased to welcome representatives from the OCSTA who are here at the Legislature today, including Paula Peroni, president; Nancy Kirby, vice-president; and John Stunt, executive director.

For over 160 years Catholic school boards have been operating in this province, and today, Catholic schools educate over 600,000 young people from kindergarten to grade 12—one third of Ontario's students.

Catholic schools are working hard on a number of our government's education initiatives and are meeting them with great success. They have shown great gains in improving test results, having improved literacy scores for high-risk students, and are creating new and innovative programs to keep students in school longer.

OCSTA has been meeting with many MPPs here today at Queen's Park to bring us up to date on some of the very positive things that are happening in Ontario's Catholic schools. As a graduate of a Catholic school—St. George's Catholic school in Long Sault—I am pleased to welcome them here to the Legislature. I'm also asking the Legislature to join them at a reception this evening from 5 p.m. to 7 p.m. in rooms 228 and 230 at the main legislative building.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon. Steve Peters):** I beg to inform the House that today the Clerk received the report on intended appointments, dated May 27, 2008, of the



Standing Committee on Government Agencies. Pursuant to standing order 107(f)(9), the report is deemed to be adopted by the House.

*Report deemed adopted.*

## INTRODUCTION OF BILLS

### JUSTICE FOR JARED ACT (CHILD AND FAMILY SERVICES STATUTE LAW AMENDMENT), 2008

#### LOI DE 2008 SUR LA JUSTICE POUR JARED (MODIFICATION DE LOIS EN CE QUI CONCERNE LES SERVICES À L'ENFANCE ET À LA FAMILLE)

Ms. Horwath moved first reading of the following bill:

Bill 81, An Act to amend the Child and Family Services Act and the Coroners Act with respect to inquests into children's deaths / *Projet de loi 81, Loi modifiant la Loi sur les services à l'enfance et à la famille et la Loi sur les coroners à l'égard des enquêtes sur les décès d'enfants.*

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Ms. Andrea Horwath:** The short form of the bill is called the Justice For Jared Act (Child And Family Services Statute Law Amendment), 2008. The bill amends the Child and Family Services Act and the Coroners Act to require a person or a children's aid society that obtains information that a child has died on or after January 1, 2006, to report the information to a coroner if the child was the subject of an access order made or varied by a court on application by a society and, as a result of the actions of a parent or family member who had custody or charge of the child at the time, the child died. In these circumstances, the coroner is required to hold an inquest into the death.

## MOTIONS

### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon. Michael Bryant:** I seek unanimous consent to put forward a motion without notice regarding private members' public business.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Hon. Michael Bryant:** I move that, notwithstanding standing order 97(g), the requirement for notice be waived with respect to ballot item 33.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Agreed to.*

## STATEMENTS BY THE MINISTRY AND RESPONSES

### ACCESSIBILITY FOR THE DISABLED ACCESSIBILITÉ POUR LES PERSONNES HANDICAPÉES

**Hon. Madeleine Meilleur:** I would like to introduce today the interpreter Kaye in the east gallery, and Anne sera l'interprète dans la galerie ouest.

Yesterday marked the beginning of National Access Awareness Week in Canada. Across the country, Canadians will be participating in events to raise awareness about the barriers that exist for people with disabilities and the need for greater accessibility. Here in Ontario, disability affects many of us.

Aujourd'hui, on compte presque 1,5 million de personnes en Ontario vivant avec une forme de handicap. Ce chiffre représente plus de 15 % de notre population, et ce chiffre augmente progressivement avec le vieillissement de la population. Cette situation se traduit par une plus grande demande pour des services et des systèmes accessibles et la nécessité de modifier certains aspects de notre environnement.

Our government has a plan to make this change happen. Almost three years ago, we passed the Accessibility for Ontarians with Disabilities Act. The act lays a foundation for Ontario to build an accessible society by 2025. Our government will make the province inclusive to people with disabilities through mandatory accessibility standards for the most important areas of our lives, like transportation, employment and communication.

I am pleased to say that we are well on our way. Earlier this year, our first province-wide standard for accessible customer service became law.

D'autres normes d'accessibilité sont en élaboration. Ces normes d'accessibilité permettront aux personnes qui ont un handicap d'avoir les mêmes possibilités que les autres citoyens; c'est-à-dire pouvoir participer pleinement à la vie sociale, économique et culturelle de leur communauté.

Je crois sincèrement que si nous, le gouvernement, souhaitons que nos partenaires de l'industrie privée améliorent l'accessibilité à leurs établissements pour les personnes handicapées, nous devons donner l'exemple.

We cannot afford not to make Ontario accessible to everyone. Each year in Canada, people with disabilities have a spending power of approximately \$25 billion. That's a market that no business can afford to overlook.

1520

People with disabilities also represent an untapped resource of talent, but every day in Ontario, their skills

are being wasted through inaccessibility. A couple of stairs or an outdated hiring policy can prevent the most qualified person from getting the job that's a perfect match for their skills.

Opening doors to people of all abilities is not only the right thing to do, it's the smart thing to do. Making Ontario accessible to everyone will help make our economy stronger and our workforce more diverse, and that's good for everyone.

Hier, j'ai eu l'occasion de visiter une succursale bancaire accessible, ici à Toronto. La Banque Royale du Canada a saisi l'essence de ce que le gouvernement tente d'accomplir afin de rendre la province accessible. Dans cette succursale, les clients qui ont un handicap pouvaient facilement se déplacer et avoir accès aux services. Ceci est un exemple des progrès qui sont faits en Ontario pour rendre la province accessible.

We've accomplished a lot in the three years since the act was passed, but there is more work to do. Accessibility is much more than wheelchair ramps and automatic door openers. Everyone needs to gain a greater understanding about disabilities if we want to tackle the social barriers that exist for people with disabilities. We all have a role to play in breaking down barriers. That's what National Access Awareness Week is all about: challenging public attitudes and perceptions about disabilities and working together to make our province a more inclusive place for people with disabilities to live, work and play.

J'encourage tous les membres de l'Assemblée à participer aux événements de la Semaine nationale pour l'intégration des personnes handicapées. Demain, Queen's Park sera l'hôte de l'Exposition sur l'accessibilité. Vous pourrez en apprendre plus sur l'accessibilité pour les personnes handicapées et comment cela se traduit pour notre province.

J'encourage aussi les membres de l'Assemblée à participer aux célébrations dans leur propre communauté et rencontrer les individus et les organismes qui travaillent dans le but de rendre leur collectivité plus accessible.

Everyone here knows the importance of inclusion and equality for Ontarians with disabilities. Accessibility is a process that we all need to engage in if we want to be successful. By working together, I know we can reach our goal of an Ontario where all citizens have the opportunity to fully participate. Let's all be part of Ontario's accessibility solution.

**The Speaker (Hon. Steve Peters):** Responses?

#### ACCESSIBILITY FOR THE DISABLED

**Ms. Sylvia Jones:** I'm delighted to speak today on behalf of the Progressive Conservative caucus to acknowledge National Access Awareness Week.

I believe that it is important to help raise awareness about the barriers that people with disabilities face every day. It is crucial that society understand the significance of promoting access for persons with disabilities. The

news release regarding National Access Awareness Week issued by the Ministry of Community and Social Services yesterday encourages breaking down barriers that people with disabilities face.

Included in the news release was a link on the ministry's website discussing "Understanding Barriers to Accessibility," where a definition of barriers is provided: "A barrier is anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability." It goes on to describe physical barriers as "objects added to the environment, such as doors, windows, elevators, furniture, bathroom hardware etc."

The McGuinty government loves to talk about ideas and plans on how to address accessibility issues and how to make society more accessible for persons with disabilities. However, the hypocrisy in their intent can be seen when a school—

**The Speaker (Hon. Steve Peters):** I'd just like to ask the honourable member to withdraw that comment.

**Ms. Sylvia Jones:** I will withdraw.

However, their intent can be seen when a public school in my riding continues to have barriers in two of those categories. The first category: Despite being renovated less than two years ago, the school was unable to install a handicapped-accessible door. Several parents, and even the school's teachers and administrators, have repeatedly requested that this issue be addressed, but their requests were ignored by the McGuinty Liberals. Second, a graduating student faced the possibility of not graduating with her classmates when the lift that allows her to accept her graduating certificate has been broken for many years and she can't get to the stage. This lift was repaired but only after my statement in the Legislature last month that called on the government to address the issue. And, to their credit, it was the Upper Grand District School Board health and safety board that repaired the lift to allow a grade 8 student in Highland Heights elementary school to graduate with her peers this month.

There are examples all over this province that echo the problems faced by the school in my riding.

*Interjection.*

**Ms. Sylvia Jones:** I afforded you the courtesy of listening to your statement.

One example is the underground pathway that goes from Queen's Park subway station to the various legislative buildings here at Queen's Park. The initial door from the TTC has a very nice wheelchair accessible sign. It even has a wheelchair accessible button that opens the door. However, you only have to walk 30 seconds down the hall before you realize that you will have to climb 42 stairs to reach the next section of the pathway and another 20 if you want to reach the main legislative building. If the entire pathway isn't wheelchair accessible, the wheelchair accessible sign has no business being at the front door. It's misleading.

Late last year, the 2007 accessibility plan for Caledon Community Services was completed. In an article that



appeared in the Caledon Enterprise last November, William Goursky, chair of the joint Peel-Caledon accessibility advisory committee announced that Peel region is making significant progress to becoming barrier-free. Some of the objectives include anchoring accessibility checks into the region's planning process, identifying and coordinating accessibility projects, and ensuring accountability through the monitoring and reporting of progress on accessibility initiatives. On the other hand, however, we have to remember that municipalities are calling on the government for fair provincial funding mechanisms to assist municipalities and other provincially funded public sector organizations to comply with the regulations under the Ontarians with Disabilities Act.

I've only mentioned a couple of concrete examples in which government needs to practise what it preaches regarding accessibility. I hope this week, as we mark National Access Awareness Week, that the McGuinty government will sincerely adhere to all four objectives of National Access Awareness Week: first, to assess the accessibility of services and facilities; second, to set measurable goals; third, to make practical improvements, not just talk; and, finally, and most importantly, celebrate achievements when they occur.

#### ACCESSIBILITY FOR THE DISABLED

**Mr. Michael Prue:** It is a privilege and honour to stand here on this statement and on the 20th anniversary of this event. I remember 20 years ago—as I think most people in this House would, but certainly not all—Rick Hansen and his Man in Motion tour that set the whole thing going. I remember watching in absolute awe as this Canadian icon went from place to place around with the world with his wheelchair to prove that anything was possible if you had a will and a way to do it. It was because of Rick Hansen and that Man in Motion tour that we first developed an awareness week to promote access, which we're doing now for the 20th time, but more importantly, I think real action started to be taken by all levels of government to make communities accessible for people's various abilities and not for their inabilities.

First of all, I want to start by commending this government, not only for the bill some three years ago—I'm going to get to it more later, and it's not all going to be good—but for taking some very real action around a number of fronts.

1530

One of those that I was most proud of this year was to see, as the minister said in her statement—and I'd just like to re-read that—"Accessibility is a process that we all need to engage in if we want to be successful. And, by working together, I know we can reach our goal of an Ontario where all citizens have the opportunity to fully participate." Oftentimes, this House can be quite an adversarial place. Oftentimes, I have to tell you, opposition doesn't listen to government, nor does government listen to opposition. But there was one real exception that

I think should be talked about today, and that is where my colleague from Nickel Belt brought forward an idea of having personal care areas in the rest areas on highways that are being redeveloped this summer, some 100 of them. The minister and the ministry have agreed, and they will be done. So here is an opportunity that the government has taken, with an idea that I think my colleague first put forward, to actually do something. It will be a great help to people travelling across this province on the superhighways, since the personal care areas will accommodate people with disabilities.

Breaking down barriers to access in all areas—transportation, housing, employment, recreation, education and communications—has a profound impact on improving the quality of life of individuals and their ability to contribute to their communities. New Democrats have long campaigned and advocated for equity and equality for all people, especially in Ontario, because we know everyone has unique abilities and the potential to enrich this province and themselves when given a fair shot at it. In this province, we need to see concrete and meaningful changes that make real and sustained improvements in the lives of those with accessibility needs.

I was heartened as well, again, with what the minister had to say here today, when she said, "Accessibility is much more than wheelchair ramps and automatic door-openers. Everyone needs to gain a greater understanding about accessibility, if we want to tackle the social barriers that exist for people with disabilities. And we all have a role to play in breaking down those barriers."

It is with that that I ask the minister to think beyond the wheelchair ramps and the accessible doors and to start thinking about people who live in poverty. It is trite to state that people who have a disability are many times more likely to live in poverty than those who do not.

We have welcomed these government announcements, but we want to ask a few simple questions. Why must people with disabilities wait another 17 years for the full implementation of the Ontarians with Disabilities Act? Cannot that be speeded up? The government press release mentions a number of barriers that limit the participation of people with disabilities—physical barriers, communication barriers and the like. It is interesting, though, that they chose not to mention by name one other fundamental barrier, the barrier of not having enough money to live a dignified life—the barrier of poverty. Right now, a single person who is disabled and who lives on ODSP funding in this province has to survive on \$999 a month. If he or she is lucky enough to have a part-time job, after a very small amount—some \$300, I believe—that money is clawed back by the government.

Mr. Speaker, I won't be too much longer. I can see you're getting anxious.

Who in this province could live on that, when a bachelor apartment costs \$738 a month?

There is so much more to say, but poverty as well is an issue. We believe that there is hope, and because we have hope—

**The Speaker (Hon. Steve Peters):** Thank you.



## ORDERS OF THE DAY

### PROVINCIAL ANIMAL WELFARE ACT, 2008

#### LOI ONTARIENNE DE 2008 SUR LE BIEN-ÊTRE DES ANIMAUX

Resuming the debate adjourned on May 12, 2008, on the motion for second reading of Bill 50, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act / Projet de loi 50, Loi modifiant la Loi sur la Société de protection des animaux de l'Ontario.

**The Speaker (Hon. Steve Peters):** Further debate?

**Mr. Ernie Hardeman:** I'm pleased to rise today to speak Bill 150, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act. I think this is a very important bill. There have been many speaking to it, and I just wanted to take a few moments to speak to the importance of having a bill. Of course, no one in our society should accept cruelty to animals. Anything we can do that to stop that from happening—and we see it from time to time. In fact, in my time being involved with the animal world, I've seen a lot of times where they are very, very much mistreated. I don't think that is acceptable in our society.

Having said that, although I support the intention of the bill, I'm not sure that I can totally support the contents of the bill. Along with a lot of the stakeholders, I have some concerns that the bill doesn't totally deliver, that the description of the bill, the compendium that comes with it, is what the intention of the government is. What they hope to accomplish with this bill is not necessarily, in my mind, what we're going to see. It relates a lot to my responsibility on behalf of the John Tory caucus to be critic for the Ministry of Agriculture and Food.

This bill of course relates to all animals. We've seen a number of private members' bills that were before this House, that got second reading and went to committee, but as we know, it's very seldom that the content of a private member's bill gets called back by the government for third and final reading. We had a number of those bills that related to the animals in what we call roadside zoos, where there seemed to be a greater need for animal protection than what we had. If that was the intent of the bill, it would seem to me that this would have been a good time for the government to take one of those bills in the previous sitting of the Legislature and pass it into law rather than go through the process of bringing forward a whole new bill.

When the new bill came forward, I went through it to look at what was different from what was in those private members' bills. I think it was the member for Willowdale who had one that we got a lot of e-mails on in our constituency office, asking for our support to get that bill passed, because it dealt with those zoo animals. But as we look at Bill 50, it goes well beyond that. Again, I'm not suggesting that it should not go beyond it, because

obviously agricultural animals need protection too. There are cases, and we've seen some just recently in my area, where no one is quite sure why they happened, but they do happen and we have a lot of animals that are not cared for in the way they should be. Then we need legislation and a process to look after those animals. I think that's what this bill does.

But the other thing I do want to talk about is that as I was looking through the bill—the minister said in the introduction of the bill that after much consultation—and I'm going to assume that the consultation was to take what was already there as private members' bills and see what the people who would be involved would have to say about it and then improve upon that and then introduce this Bill 50, which would meet the general needs of that. But when I started checking with and corresponding with the stakeholders who would be involved, we ran into some difficulties. In fact, there seemed to be very little consultation that had taken place with the people one would think would be the major stakeholders. One that comes to mind, and again it's not the agriculture and food portfolio, but I was somewhat taken aback—I'm sure every member of this Legislature has in the last week or two been continually receiving e-mails from members of the Toronto Humane Society who are demanding—I'm not sure “demanding”—encouraging the government and the members of the opposition to work diligently to get section 6 of the bill—and I have here the letter from the Toronto Humane Society. It is just a letter; it's not really a prop. With your indulgence, Mr. Speaker, I would just like to read some of it; I think it's rather interesting.

1540

It starts off:

“Dear Friends of Animals

“The Premier is to be congratulated for having promised animal welfare reform, and by all rights you and I ought to be able to support all of Bill 50 which was introduced in the Legislature by Minister of Community Safety and Correctional Services Rick Bartolucci on April 3, 2008.”

And this is where it goes off the rails. It says:

“But there is a serious flaw in Bill 50. Section 6 requires the Legislature to strip away the name of any humane society that doesn't want to be a member of the Ontario SPCA or the name of any humane society that the Ontario SPCA itself doesn't want or has expelled.

“If The Toronto Humane Society has its name taken away, it will lose its identity of 121 years. Animals will suffer because those needing our services won't know where to turn. Our income will plummet, depending as it does on name recognition. Severe cuts in services to animals and staff layoffs will be inevitable.

“And for our beloved Toronto Humane Society, the sting of section 6 of Bill 50 is not academic, but real.”

Mr. Speaker, I'm sure you've had the opportunity to hear a lot of speakers on Bill 50, and almost every speaker has related to section 6 and spoken of the challenges. Then when it came to the questions and com-



ments, the government put forward the proposition that in fact this wouldn't happen, that this isn't what this bill does. But the Toronto Humane Society is convinced that it is "not academic, but real." They believe that if this bill is passed in the present form, it would have that impact on their society.

I would just point out that I hope as this bill goes forward to consultation—which I understand the government is looking at, to make sure that it goes to province-wide consultation—section 6 will be looked at. I think it behoves the government to look at that in the vein that if the humane society has that concern and if that concern is real, then we should look at the other side of the same picture, see what the benefit is of putting section 6 in the bill, and see if it would weaken the bill to protect animals if that section was removed. I would like to suggest that that may not be a very good trade-off. It may very well be that for the best interests of all animals in the province and all people who take care of our animals, the removal of that section would likely make this a better piece of legislation.

The second group I would just like to touch on is on the agriculture side, the Ontario Farm Animal Council. They too sent a letter, only they sent this letter to Minister Bartolucci. It says:

"The Ontario Farm Animal Council (OFAC) has recently been made aware of Bill 50 introduced by the Ontario government on April 3. This bill contains wide-sweeping changes to legislation governing the keeping and treatment of animals in Ontario.

"OFAC has long been on record as supporting the need to update legislation dealing with animal cruelty. To this end, OFAC supports the overall intent of Bill 50."

Again, it starts similar to the humane society's position on the bill: that the bill is long overdue, that we review the animal cruelty legislation. But we must do it by taking our time and making sure that we do it right. After 100 years of having the same legislation, it would seem prudent not to rush this through and then make mistakes as we're going through it.

In the last letter, the third paragraph started with "But"; in this one it starts with "However":

"However, this legislation goes far beyond issues of cruelty. In working closely with the Ontario SPCA on farm animal care issues over the past 20 years, OFAC has identified and supported needed improvements in both governing legislation as well as the operations of the agency itself. We're especially supportive of plans to increase budget allocations for training to OSPCA inspectors."

Again, that's one of the things we've been hearing a lot of. In the opinion of the Ontario Farm Animal Council, the training for the inspectors who are presently doing the inspections is not sufficient to deal with farm animals. I think the real concern, before I go on, is that we all assume that while the minister can put regulations in place that will define how things are going to be done and who should do them, it's very important that the people who are doing the instructing, the people who set

those rules in place, understand the situation that they're dealing with.

I would just use an example: A number of years ago in this place, they had the opportunity to be on that side of the House, and I can remember as well as I can remember the issues of today that there was a question about the operation of the agriculture field offices. The Acting Premier of the day asked the Minister of Agriculture a question about how that was going to affect the farmers in southwestern Ontario, towards the Windsor area. She seemed quite concerned about the approach that was being taken with the realignment of the offices, and I remember that the question was: "What is a farmer with a 500-pound hog supposed to do—put him in the trunk of the car and take him to the nearest ag office?"—which would then be quite a ways from home. Of course, the intent was to show that the system would not work very well. But the result of that, as we listened to that with the ears of the hog producers in Ontario, was that we realized, first of all, that the hogs are not 500 pounds, and secondly, when there is one that is ill, you do not rush it into town to the hospital; you bring the veterinarian out to the farm.

The reason I bring that to your attention is that I think it's so important that the people who make the regulations are knowledgeable about the issue they're making them for. I just want to go on with one more paragraph of this letter:

"Our concern is that Bill 50, which is now in second reading, is a set of very extensive and legally complex amendments that appear to be moving very quickly through the legislative process. These amendments would fundamentally change the powers and authority of the OSPCA as well as the legal obligations and requirements of all animal owners and handlers in Ontario." That's the point that I was trying to make: that it is a very extensive bill that has far-reaching ramifications as it deals with agriculture.

I also had some comments here from the Ontario Federation of Agriculture. Of course, it's so important that they didn't have time to review it. This is not their official position, because the timing of the introduction of the bill and the need for them to make comments to it were not—there was not sufficient time. But they did feel it important enough that, as part of second reading debate, some of their issues be put on the record.

The first problem they have with the bill is that the definitions do not necessarily define clearly the issues that we're talking about. The word "distress": An animal that's in distress is to be looked after under this act. But that's a pretty broad statement. When an animal's in distress, who determines that the animal is in distress? Obviously, that relates to the right to entry for our inspectors and so forth, but who determines—not being able to see the animal from the road—that we should enter the property to protect the animals?

The other thing that I think is so important is the issue of proper care and how we define "proper care." I was reading about some of the issues of proper care, and it



has to do with having sufficient space in which to house the animals, that there's enough room for them to move around, that animals are properly fed. I think those types of things are—what shall we say?—common sense. We have to have adequate housing and care, but how do you define that?

There was also somewhere, in some of the documentation, something about that the animal must have opportunities for exercise. Again, that makes a lot of sense. I think that everyone in this Legislature would agree that good health includes being able to move around and get good exercise. But there's a lot of agriculture that does it differently. We have what they call "caged layers" in the chicken industry. They are confined to smaller areas for all kinds of purposes, for the way the eggs are produced, to keep the eggs clean—not to suggest that the chickens are not comfortable, but it's a different way of life and it's a way that has become more modernized and also more intensified with the production of eggs. But can we really deal with that under the same bill and the same regulations?

1550

Again there is the issue—I spoke about it once before in comments to someone else's speech—of animals being taught to fight. I know that the intent of the bill is to make sure we don't have animals being taught to fight each other and then do it as a sport. I would be the first to agree that that's an inappropriate activity, and the act should cover that. But at the same time, the way it's written now, would a dog that is protecting cattle from wildlife in the field, having been taught to protect the animals and fight, then be illegal under the act? I think things like that need clarification.

The other issue that I think is rather important is entrance without warrant. I think the farming community is very concerned as to how much power and how much right, and what is actually necessary for the inspector to make that judgment call and, without having to prove to anyone, and getting a warrant, that they can enter the premises because they believe it reasonable. I guess we're really concerned about what would be considered reasonable.

The other thing that's very concerning to the agriculture community is the issue of biosecurity on the farms. Having people coming in and out is a rather touchy situation, particularly if they have been on other farms before that. In fact, we can carry disease and such things from one to the other. Obviously that would be very disastrous in a lot of cases.

I do believe there are a lot of concerns from our agricultural community as to how far this goes. We say that the normal farming practices will exempt that animal, but we have the identification of normal farming practices after the action of the inspector, as opposed to before the action of the inspector. I don't know how, exactly, that is intended to work and bring that back together so we have the protection of agriculture for normal farming practices that we require without losing the right for those animals to be protected from inhumane or inappropriate actions.

My time is fast drawing to a close, and I notice I've lost the interest of most of the audience, so I would just—

**Mrs. Carol Mitchell:** Don't take it personally.

**Mr. Ernie Hardeman:** The member from Huron-Bruce is still listening. She was thinking I was going to say something negative, and obviously I wasn't. We hope we can get full public hearings on this so that all the people who've not yet been heard in fact will be heard when the time comes and they can put their position forward much more adequately than I can here in my short time that I have to speak to this bill today.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Helena Jaczek:** I'm happy to rise in support of Bill 50, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act. I think it's particularly commendable that these are the first comprehensive amendments since the act was introduced way back in 1919, a really significant step that our government is taking. I was very pleased that Rick Bartolucci, the Minister of Community Safety and Correctional Services, actually came up to my riding—we have the headquarters of the OSPCA in my riding of Oak Ridges-Markham—and made the statement that our government will not tolerate the abuse of animals, including those kept in roadside zoos, and that, if passed, this legislation will offer the strongest animal protection in Canada. His allusion to roadside zoos is that this bill does build on the private member's bill of our esteemed colleague from Willowdale.

Further, the chief executive officer of the OSPCA, Kate MacDonald, has made the following statement: "We are pleased that the government has recognized the need to modernize and toughen animal welfare laws and create stiffer penalties for those convicted." So we have endorsement from a very credible source. In fact, if anyone is looking for a pet, I would commend them to come up to the OSPCA in my riding. A number of animals are looking for good homes; not only cats and dogs, but I believe there is a resident pig awaiting adoption as well.

In conclusion, I'm very strongly in support of this particular bill.

**Mr. Norm Miller:** I'm pleased to add some comments to the speech of the member for Oxford on Bill 50, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act.

As the member for Oxford pointed out, this bill has grown out of a private member's bill that was put forward last year that dealt specifically with roadside zoos. Certainly I was supportive of that private member's bill. We've had some cases in Parry Sound-Muskoka where a new bill would help to improve conditions. As also noted by the member, the bill has been expanded and has some aspects that certainly need public input, including section 6, which makes it so only affiliates of the OSPCA can use "humane" in their name, and of course that's a huge concern for the Toronto Humane Society. It's been around a long time, so we have concerns with that.



As well, the member for Oxford is a real strong voice for rural Ontario, and he has raised a number of agricultural issues, concerns about some of the vague wording about animals in distress or what is proper care. On constituency week last week, I had the opportunity to meet with the local East Nipissing-Parry Sound Ontario Federation of Agriculture members. Their biggest concern, their number one concern, was rules and regulations brought forward by the government making it difficult for them to stay on their small farms. It's good to see the member for Oxford speaking up and raising the concerns of the agriculture industry. The last thing we need is more rules that will make life still more difficult for farmers in Ontario, more difficult for them to stay on their farms and do the good work they do there. So thank you to the member for Oxford for raising those concerns in his speech today.

**The Acting Speaker (Mr. Shafiq Qaadri):** I thank the member for Wellington-Halton Hills and for our next questions and comments call upon the member for Parkdale-High Park.

**Ms. Cheri DiNovo:** Just a couple of minutes to say that I've yet to hear somebody from the government side speak about the question that we keep asking on the opposition benches, which is, remove section 6. I have received over 100 e-mails from my constituents and I want to acknowledge that Mr. Trow, the president of the Toronto Humane Society, is here. Our constituents, certainly in the GTA, are really upset. We are attacking an institution that's been part of the Toronto landscape for over 120 years. The Toronto Humane Society is absolutely not a necessary part of this bill in any way, shape or form, and yet the government simply refuses to speak to this issue. They refuse to admit that this is absolutely turf warfare on their part. They are taking the part of the OSPCA here, and against not only the Toronto Humane Society but over 230 animal welfare organizations in the province of Ontario.

The simple question is: Why is this section in this bill? Why is it in the bill? And we don't get a straight answer. It certainly has nothing to do with roadside zoos, it has nothing to do with protecting exotic animals or any other animals for that matter, except the ones with two legs who perhaps contribute to the Liberal Party before election time.

1600

But if it's not that—this is a challenge to those across the aisle—then tell us why it is there. We've yet to hear why it is there. There's no place for it. We're hearing from our constituents, and I'm sure you are hearing from your constituents. So please let us have an answer from the government: Why section 6? We call for removal of section 6 before this bill even gets to committee.

**The Acting Speaker (Mr. Shafiq Qaadri):** I thank the member for Parkdale-High Park and now invite the member for Peterborough for further questions and comments.

**Mr. Jeff Leal:** I certainly heard very carefully the remarks of my colleague from the riding of Oxford. He

has some background in this area. He is a former provincial Minister of Agriculture and is familiar with some of these issues.

I'd just like to take the time to compliment the general manager of the Peterborough Humane Society, Mr. Brad Algar. I've had the opportunity to work with Brad not only now in my role as the MPP for the riding of Peterborough, but certainly during my time as a Peterborough city councillor. I remember he was very complimentary about the member for Eglinton-Lawrence, who first brought to this House, a number of years ago, the whole issue of puppy mills in the province of Ontario and what a despicable situation there was. These puppies were being born in these mills in conditions that were just totally ugly and repugnant, something all parties in Ontario would certainly want to make sure there was legislation in place to remove. My colleague the member for Willowdale worked to make sure that we clean up how animals are housed and cared for in our zoos.

I know in Peterborough we have one of the great public zoos, Riverview Park and Zoo, which is free to all the citizens in Peterborough under the directorship of Mr. Sisson, who does a wonderful job. In fact, I'm hoping to get the opportunity to be there tomorrow. They have the annual launch of their water park playground, where all the citizens, particularly children, love to go and explore the water ground play park—an opportunity to see exotic animals and domestic animals that are cared for in such a wonderful fashion. So, collectively, we have the zoo in Peterborough and we have the Peterborough Humane Society, which has such an outstanding reputation.

I see all parties coming together on Bill 50, the protection of animals in the province of Ontario, and I look forward—

**The Acting Speaker (Mr. Shafiq Qaadri):** I thank the member from Peterborough and now offer the floor to the member from Oxford for his final two-minute summary.

**Mr. Ernie Hardeman:** I want to thank all the members for their kind words to the presentation.

I just wanted to point out to the member for Oak Ridges-Markham, to the comment that the minister said this was going to be the strongest animal protection in all of Canada, that I would support that 100%, providing it doesn't make it also the toughest legislation for agriculture to continue in this province. That is, I think, our real concern. That's why I think it's so important that we have full-scale public hearings around the province, so all the agriculture folks can put their position forward, and those people from the humane society that the member for Parkdale-High Park was speaking about regarding removing section 6.

As the member will know, I spoke to that section too. I'm just hoping that the government members have at this point decided—they don't have the authority to stand up and say that they will withdraw it, but I'm sure they are all sitting over there with every intention, when it goes to committee, to put forward a motion, after thorough discussion with the minister, saying, "Why don't we just remove section 6? There is absolutely nothing that would

benefit from leaving it there. Why leave it there, because it's causing a lot of commotion? For the betterment of us all, why don't we just take that out?"

I'm hopeful that the members—and I can see a smile over there. I think that's exactly what the plan is. They're going to change that at committee between second and third reading. If they don't, I guess then they would explain to us all why they won't, because it really doesn't make any sense.

I do want to again thank you, Mr. Speaker, for allowing me the time to speak to this, and thank all the members for their kind comments to my presentation. I do hope that we get thorough public hearings on it so we can flesh out all the problems that are here as they relate to the negative impact it may or may not have on our agricultural community.

**The Acting Speaker (Mr. Shafiq Qaadri):** I thank the member from Oxford, and I now invite the chamber for further debate. Is there any further debate? Seeing none, Mr. Bartolucci has moved second reading of Bill

50. Is it the pleasure of the House that the motion carry? The motion has carried.

*Second reading agreed to.*

**The Acting Speaker (Mr. Shafiq Qaadri):** Shall the bill be ordered to committee?

**Mr. Dave Levac:** I would ask that the bill be referred to the Standing Committee on Justice Policy for committee hearings.

**The Acting Speaker (Mr. Shafiq Qaadri):** So ordered.

Orders of the day.

**Hon. Monique M. Smith:** I move adjournment of the House.

**The Acting Speaker (Mr. Shafiq Qaadri):** Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until 9 a.m. of the clock tomorrow.

*The House adjourned at 1606.*



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**Assemblée législative  
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**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 28 May 2008**

**Mercredi 28 mai 2008**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

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Deborah Deller



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 28 May 2008

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 28 mai 2008

*The House met at 0900.*

*Prayers.*

## ORDERS OF THE DAY

### ORDER OF BUSINESS

**Hon. David Caplan:** On a point of order, Mr. Speaker: I believe we have unanimous consent to put forward a motion regarding division of time for debate on the motion for second reading of Bill 80.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Hon. David Caplan:** Thank you, Speaker. I move that the time available to 10:45 a.m. this morning be divided equally among the recognized parties for the debate on the motion for second reading of Bill 80, An Act to establish Algoma University and to dissolve Algoma University College, following which the Speaker shall put every question necessary to dispose of the motion for second reading of Bill 80 without further debate or amendment.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Agreed to.*

## ALGOMA UNIVERSITY ACT, 2008

### LOI DE 2008 SUR L'UNIVERSITÉ ALGOMA

Mr. Milloy moved second reading of the following bill:

Bill 80, An Act to establish Algoma University and to dissolve Algoma University College / Projet de loi 80, Loi portant création de l'Université Algoma et dissolution de l'Algoma University College.

**The Speaker (Hon. Steve Peters):** Debate? Mr. Milloy.

**Hon. John Milloy:** It's a pleasure to be addressing Bill 80, to be opening up the debate on this today. At the outset I want to say that I'll be sharing my time this morning with my parliamentary assistant, the member from Richmond Hill, and also my colleague from Algoma-Manitoulin will be speaking on the issue.

As a relatively new minister here in this government, it's a great pleasure that this is actually the first piece of legislation that I'm bringing forward, a piece of legislation which deals with the important issue of post-secondary education in our province. I've been very hon-

oured and privileged to be associated with a government which has made post-secondary education and training one of the centrepieces of its time in office.

As members are aware, several years ago, as a result of important work that was undertaken through the Reaching Higher study, we introduced the \$6.2-billion plan for higher education in the province. That has been supplemented with a series of investments, most recently in the March budget, a \$1.5-billion skills to jobs action plan.

The thrust of all this has been a recognition that in the province of Ontario, for us to succeed, for us to prosper, for us to compete with the giants of Brazil, India and China, we need to invest in our people; we need to invest in the education and skills of our people. I've been very proud of the results of the plan. Right now we have 100,000 more students involved in post-secondary education in Ontario than there were when we took office. Some 60% of 25- to 64-year-olds have completed a post-secondary education certificate, diploma or university degree program in Ontario, making it one of the highest rates in the OECD.

The thrust, the goal, of our policy when it comes to post-secondary education, has of course been excellence. We want to make sure that Ontario maintains one of the best systems in the world, and we've seen increasing investments in the operating funds of our colleges and universities as well as the infrastructure. It's been about accessibility. We've had the privilege of seeing about \$1.5 billion invested in student assistance over the past several years. We've seen increases in OSAP, increases in special funds aimed at first-generation students, aboriginal students, disabled students and francophone students, who are not always as well represented in our post-secondary education cohort.

We've also tried to have a system which is responsive and flexible, which takes a look at what the needs are in our province, what the needs are in particular regions of the province and respond to them. This third point, in fact, is what we're talking about this morning: We're talking about the transformation of Algoma University College, which right now is an affiliate of Laurentian University, into an independent university. If this legislation passes, it sets out the groundwork for this new university and would establish such an institution in Sault Ste. Marie.

Just to give a little bit of background of the history of this wonderful institution to those in the Legislature and those who might be watching us, it opened its doors in



1964 and has been serving the residents of Sault Ste. Marie ever since. As it's an affiliate of Laurentian University, students are able to go to Algoma and receive a degree from Laurentian University. Over the years it has developed a tradition of excellence. Enrolment at the moment is around 1,000 students. It has developed into a first-class institution where students can choose from over 30 undergraduate programs in areas ranging from finance and economics to fine arts and information technology.

I think it's important to note that Algoma University College provides an important centre in the north for those students who wish to access post-secondary education. Several months ago, the Premier had the honour of announcing an initiative that had been brought forward by our government in terms of distance education. It was additional supports for students from rural and northern areas who have to travel long distances to attend post-secondary education, either by commuting or by traveling there. The one interesting note that I discovered, in helping to prepare that announcement and that program, is the fact that distance can be an impediment for students. Especially in areas like northern Ontario, students don't necessarily want to travel long distances to receive their post-secondary education, and studies have shown that it is an obstacle. So by having an institution like Algoma University College, as it presently is, or, if this bill passes, an independent university, it would provide the ability for these students to access post-secondary education closer to home.

Another interesting aspect of the current institution is its close links with the local aboriginal community and with First Nations education in general. More than 20% of Algoma University College's students are First Nations. It's the only institution I'm aware of that offers a bachelor of arts in the Ojibway language, and it has created close links with the aboriginal communities in the area. Algoma's students, faculty and staff I think recognize the uniqueness of this institution, the fact that it serves such an important role in northern Ontario and the fact that it has a special relationship with the First Nations community and for many years has been working to see it take the next step, to become independent. I think the government recognized this a year ago; the Premier made an announcement, as well as my predecessor, Christopher Bentley, who is now the Attorney General, that we wanted to take this next step, that we wanted to take Algoma University College and turn it into an independent institution.

0910

What will this do? What will this mean? First of all, as an independent university, we're going to be creating more opportunities for students, particularly in the north. As I mentioned, distance can often create a great barrier to students who want to pursue post-secondary education. Although Algoma University will be open to students from across the province—indeed, from throughout the world—it's going to have a special role in terms of

attracting students from northern Ontario and making sure that they have a first-class undergraduate education.

The other thing is its relationship with First Nations. By establishing an independent university, Algoma will be able to offer excellence in education to First Nations communities in that area and throughout northern Ontario. I've been very proud of the work that our government has done in terms of the First Nations file. It's been one of engagement, it's been one of partnership, and most of all it's been one of creating opportunities. I want to single out, of course, the Minister of Aboriginal Affairs for his leadership in this regard, leadership that has come from the Premier. Part of creating opportunities is creating ways for people to receive the education and the upgrading of skills that they need. Algoma already serves that purpose, and as an independent university we're going to be strengthening and enhancing its role in allowing First Nations individuals to pursue their education there. If you talk to anyone in the First Nations community, if you talk to the many people, thoughtful people, who have looked at many of the profound challenges facing First Nations people, at the core of the solutions to overcoming these challenges, to overcoming these obstacles, has been the whole issue of education. The creation of an independent university, with one of these being its special mission, will, I think, add a great deal to this government's agenda when it comes to creating opportunity and will strengthen the First Nations communities in northern Ontario, particularly in the Sault Ste. Marie area.

The other spin-off of this, of course, is for the community of Sault Ste. Marie itself. The creation of an independent university will do much to attract more jobs and opportunities to the north. I had the pleasure of speaking at a press conference—which I want to talk about in a minute—a day or two ago, when we introduced the legislation, and certainly we made clear our government's commitment to make sure that Algoma will have, if this legislation is passed, the resources that it needs to operate as an effective, independent university—again, with these special missions about education in the north and First Nations, and making sure that it has the resources. That, in turn, is going to further strengthen the community of Sault Ste. Marie and is going to create an institution which I know everyone's going to be very, very proud to call their own, there.

I want to conclude today by thanking the many, many people who were involved in getting to this point, and hopefully it's going to result in the passage of this legislation. I have to thank the faculty, staff and administration of Algoma University College, the chair of the board, Bud Wildman, and the president, Celia Ross. I also want to acknowledge the support of the local MPPs. I had a chance the other day, when introducing this legislation, to speak about the important role that has been played by David Oraziotti, the MPP for Sault Ste. Marie, who is a strong advocate for his community and a strong advocate for this institution. I understand that the member actually sat on the board of governors before



entering politics and was involved in some of the early discussions about giving independence.

I also want to acknowledge my colleague the member from Algoma-Manitoulin—the area just outside of Sault Ste. Marie—who's been another strong advocate for this institution and for this area. I know that he welcomes and has been a voice calling for this independence, because he knows the benefit that it's going to bring to his community and to the north.

I also want to talk about the northern caucus in general and the support that they've brought forward throughout this process of reaching this decision point. They've recognized some of the unique challenges in the north and that the presence of a fourth university through the establishment of Algoma University is going to be of great benefit for people in the north. It's going to continue to bring jobs and prosperity to it and it's going to allow young people who want to stay in the north to pursue their education and to establish roots there.

Finally, I want to talk just for a second about the people of Sault Ste. Marie. As I mentioned, following the introduction of the bill the other day in ministers' statements, I had the privilege of participating in a press conference down in the press gallery, where I was linked by video to Algoma University College. They had taken over one of the large classroom areas there. They had about 200 people there: the mayor, civic leaders and members of the press were there. As well, we had a huge delegation here in the gallery. Together, we made a presentation about the new legislation, what it would mean if it was passed, and offered some advice and some comments that came forward. I think what struck me was how close-knit this community is, how much this community believes in this institution and wants to see it proceed to the next step and become an independent university.

If you'll permit me, I'd like to quote the local newspaper, the Sault Star—what they had to say the next day. They said, "The bill's introduction drew smiles and repeated applause as a full lecture theatre at AUC watched on large video screens while the event took place in the Legislature in Toronto." I think it's a credit to the people of Sault Ste. Marie that literally hundreds would come out to watch on a video screen the introduction of a bill. I think it signifies and symbolizes the importance of this piece of legislation for a very important part of this province, which in turn is going to benefit the north, which in turn is going to benefit the province in general.

We need to have the most dynamic and the most excellent, first-rate post-secondary education system in the world if we're going to continue to compete. I'm proud of what we've done thus far, and I think the passage of this bill is going to add to the excellence in post-secondary education which exists in this province.

**Mr. Reza Moridi:** It's a great pleasure for me to rise in this House in support of our Honourable Minister of Training, Colleges and Universities and to speak on Bill 80. Today we are considering legislation that would, if

passed, make a significant difference to the development of one of Ontario's great communities, Sault Ste. Marie.

The Soo, as most of us know it, has long been an important economic cornerstone of the north. Since long before European exploration and settlement, the local Ojibway knew the area as Baawitigong, meaning a great place to fish. I hear that it still is, by the way. But since the first European settlement in 1668, it has been much more than that.

The earliest French explorers used the St. Marys River as a gateway to the west. It remains a key gateway between eastern and western Canada for grain, iron and many more products using the Great Lakes-St. Lawrence Seaway. Economically, Sault Ste. Marie has long been known for its steel mill and for forestry across the region.

As a government, we know we must take steps to ensure the stability of our communities like the Soo, the future competitiveness of our economy and the prosperity of our people. In today's world, a factory can be built anywhere in the world. Distance and borders are no longer obstacles to companies investing wherever in the world they choose. What draws new investment in today's economy is the availability of skills, dynamism and the productivity of communities. What keeps Ontario businesses competitive in the world is the ability to turn ideas into products and services that the world needs. We can foster these conditions by encouraging and helping our people to reach their full potential. In a world where learning and skills are what make us competitive, that means investing in education. Sault Ste. Marie's people have the potential to keep their great city vibrant and strong and to help bring its economy forward and growing into the new millennium.

Our government is proposing to grant Algoma University College independent university status. This will be a major milestone in the long history of this historic community and will help establish a new course for the people and economy of this important region.

#### 0920

Algoma University College, of course, has a long history in Sault Ste. Marie. First established in 1964, Algoma has been providing high-quality education for over four decades. It has been doing this as an affiliate college of Laurentian University in Sudbury.

This legislation would open the door to new paths for the new, independent university, which would become the fourth independent university in northern Ontario. It would give the college the independence to expand programming in the future in ways that would best suit the Sault Ste. Marie region. It would allow Algoma to expand its outreach, recruiting more students and offering greater opportunities to students across the north.

For current students, our legislation would ensure that they are able to complete their current course of studies without interruption. For future students, it means more opportunities for post-secondary education in the north. This is also very important for aboriginal students, particularly for the Anishnawbe, or Ojibway, people across



Ontario and the American Midwest, and for all aboriginal students across the north as well.

Algoma has long recognized the important education needs of aboriginal people in the north and has worked hard with community organizations, leaders and students to help improve their access to post-secondary education. Their focus has been on empowerment, working with this important community to help them take control of their future by developing post-secondary programming and services that meet their needs and address cultural considerations. They also offer some unique programs in Ojibway history, culture and language, not available anywhere else in the world. Algoma offers the only BA degree in the Ojibway language, a program of vital importance to the Ojibway people on both sides of the border.

The benefits of an independent Algoma University would cast a ripple effect, beyond its students, across northern Ontario. Sault Ste. Marie has been a strong part of the north's economy for a very long time. But like other Ontario communities, if Sault Ste. Marie is to continue to grow as a community, it must be able to grow its economy and keep up with the rapidly changing demands of globalization.

Having a strong, independent Algoma University would provide an important resource for Sault Ste. Marie. It would help ensure a well-trained workforce with the skills needed to keep local industry competitive and help attract new investment. It would be able to work closely with local businesses and government leaders on shared goals for economic development. It would provide a strong sense of local civic pride, contributing to the dynamism and ingenuity of a community with a strong sense of history, pride in its achievements and confidence in its future. It would help produce some of the new community and business leaders who will keep Sault Ste. Marie and Ontario strong for years to come.

Our government knows how important post-secondary education is to Ontario's future. Ontario remains one of the key driving forces in North America for new ideas, new innovations and new products and services. Oil may be fuelling our vehicles, but it is Ontario's ideas that are helping build the International Space Station, sending BlackBerry messages around the globe in an instant and creating the most productive automobile plants year after year. It is that ingenuity that will guarantee our future.

Last year our economic growth outpaced expectations, despite some significant challenges. In our recent budget, our government outlined an ambitious plan to keep Ontario strong and growing and to ensure a bright future for Ontarians. One of the key priorities that we identified was the continued reinvestment in Ontario's post-secondary institutions. We recognize the important role our universities, colleges and training partners play in helping to ensure that every Ontarian is able to reach their goals. We are committed to ensuring a strong and dynamic post-secondary system for all Ontario students, regardless of where they live or what their socioeconomic background is.

Our students are our future. They are the innovators who will turn exciting new ideas into things that have the power to change our lives. They are our future business executives and company leaders. Some of them will be sitting in this Legislature some day and building on the foundation that we provide for them today.

For Sault Ste. Marie, an independent Algoma University would bring a cornerstone for that community's foundation. Algoma's high-quality programs and commitment to the community have produced great results. Since 1997, Algoma's enrolment has grown by over 42%. That represents many more local students getting their education locally, making them more likely to remain in the community post graduation. This is important in the north, where many young people go to university or college in the south and do not return. It represents more aboriginal students getting a post-secondary education for personal growth and helping their communities grow and prosper.

We believe it is now time for the next stage of Algoma's development: full university status. It is the next logical step in the long history for the development of Sault Ste. Marie. It will be an important part of ensuring that our government's \$6.2-billion Reaching Higher plan is able to reach all of Ontario. After all, our people are our greatest asset. Our government remains committed to developing Ontario's post-secondary education system into truly the envy of the world. Accomplishing this will ensure Ontario's place in the future. Creating a new Algoma University is just one step in our government's plan.

**Mr. Jim Wilson:** I'll be sharing my time with my colleague the member for Durham.

As the Progressive Conservative critic for Training, Colleges and Universities, I'm pleased to say a few words on behalf of John Tory and our caucus on what is an important step forward for education in northern Ontario and a very exciting time for Algoma University, Sault Ste. Marie and the communities along Highway 17, from Wawa to Blind River and beyond.

What we're debating here today is something that I know the president, Celia Ross, the chair of the board of governors, Mr. Bud Wildman, and all of the faculty, the students, the board, the administration and the community at large have been working on long and hard for many, many years.

The power to confer degrees, after a long affiliation with Laurentian University in Sudbury, recognizes Algoma University College's more than 40 years of exceptional higher education, fiscal management and academic excellence. These degree-granting powers aren't just thrown around. In fact, it happens quite rarely. During my 18 years in the House, the last degree-granting institution we saw established was the University of Ontario Institute of Technology, which Mr. O'Toole, my colleague, will be speaking about shortly; I recall Ryerson University in the early 1990s; and of course in 1992, Nipissing University was established, and that was the first time in 20 years that a university had been estab-



lished in this province. So this is a rare and historic occasion.

0930

In this day and age, to have a university in your city—and Sault Ste. Marie is the third-largest city in northern Ontario—is a real accomplishment. It's an extremely beneficial component to the economic and cultural welfare of the community. As I said in my remarks yesterday when the bill was introduced, I served on the board of governors at the University of Toronto, and one of my first elected positions was as a member of the student council there. This makes me think of how difficult it must be for Algoma University College right now, under the current arrangement with Laurentian University, to have loyal alumni and to attract loyal alumni, because even if you spend your entire three or four years getting that degree at Algoma University College, the diploma you actually get for the wall says "Laurentian University."

I was under the same arrangement when I went to the University of St. Michael's College. My degree says "University of Toronto," which I'm quite proud of—as I served on the student council there and on its board of governors—but when I write a cheque every year, I'm split between, "Do I send it to St. Michael's College or to the University of Toronto?"

This way, it will be clear that graduates who spent their three or four years—and soon, graduate studies—at what will soon be called Algoma U can be loyal to the one institution, even though the 40-year arrangement with Laurentian University, as I understood when I met with Bud Wildman and Celia Ross a couple weeks ago, has worked very, very well. Laurentian University has certainly given its blessing to this new step forward for Algoma University College to become its own full-fledged university today.

I mentioned already that Algoma University College has operated for more than 40 years. I think it's important that some of the history of the college be put on record at this time, because we're now taking the next step forward in the next chapter for Algoma University College and we should all know where it began. I want to quote briefly from this historical outline that is on the college's website:

"The desire to establish an undergraduate liberal arts college in Sault Ste. Marie originated as a broad citizens' movement in the 1950s. In October 1964, the Algoma College Association was incorporated by letters patent of the province of Ontario. One year later, Algoma College was established as a non-sectarian institution affiliated with Laurentian University.

"In September 1967, Algoma College opened its doors to its first students. Its program for full-time students was limited to the first year of the B.A. and B.Sc. degrees. In part-time studies, the college was permitted to offer the full B.A. program. In the early years, part-time enrolment expanded rapidly to over 1,000 students by 1969-70.

"The strong community support that led to the founding of the college continued during the early years of its

development. The citizens of Sault Ste Marie, through their municipal government, provided major assistance to the college in the form of capital and operating funds. In addition, local industries, businesses, service clubs and individuals established a scholarship program for students attending the college.

"The year 1971 marked a significant turning point in the college's history in respect to both program and facilities. In recognition of the rapid maturation of the college, the department of university affairs authorized the expansion of full-time in arts to the full three years. The second year was added in September 1971 and third year in 1972. In addition, in September 1971, the college was relocated to its own campus. The college acquired by lease Shingwauk Hall and the Shingwauk site, including 53 acres of land fronting on the St. Marys River. Extensive renovations were completed to Shingwauk Hall, and temporary buildings were constructed to provide a science laboratory, music conservatory, language laboratory, office and classroom facilities.

"In 1973, construction of a library wing was completed. In 1975, with the assistance of a grant from the Ministry of Colleges and Universities, the college purchased Shingwauk Hall and 37 acres of land surrounding the buildings. In 1989, the Arthur A. Wishart Library was opened and other renovations completed. In 1992, the George Leach Centre was opened for athletics and recreation. A student residence was completed and occupied in September 1995 with a new addition available in September 2001. With the completion of this construction, Algoma's facilities are as modern as any in the province."

It goes on to say, "The university is sensitive to the educational needs of the community, and responds to those needs. Algoma University College serves the community in a wide variety of fields apart from its role in delivering university courses. The Arthur A. Wishart Library is accessible to public use. The George Leach Centre is available for community use as an athletics and recreation centre. Other facilities are frequently used for meetings and presentations by community organizations. Many students, faculty and staff lend their knowledge and actively support many community organizations, from government and research to cultural and social agencies.

"From the beginning, Algoma University College has seen itself as an innovative institution, specializing in undergraduate education. To this end, the college intends to remain a relatively small institution where students and faculty can study and learn in a personal environment. Courses are offered both day and evening."

That's the end of what was on the website in terms of the history of the college, but then there's also this. It's written as an introduction for students who may want to attend the college. It's written by Arthur Perlini, who is the academic dean and associate professor of psychology at Algoma University College, soon of course to be called Algoma U or Algoma University.



"Our history harkens back to the 1830s, when a visionary leader sought to establish a place of learning in a community created some 200 years earlier, in the 1630s. The history and tradition of our origins is one in which we maintain a steadfast commitment: to educate men and women to find truth in thought, in engagement, in dialogue. And to do so in a community of scholars, teachers and students.

"You are undoubtedly facing one of the most exciting times of your life, where intellectual exploration and adventure is paramount. While your purpose for doing so will earn you advantage, we are intent on inspiring you to develop leadership and responsibility to the generations that follow you. What we offer you is a depth, breadth and engagement of learning that invites you to the process of learning; we do this in an intimate, innovative and energetic climate. This is our mission. Your promise is unfolding and one that we invite you to share with us so that we may help create the leaders of tomorrow.

"It takes both will and opportunity to succeed; learning is the means by which success is achieved. We hold dear the trust you place in us in this process, as it is you who will shape the world of tomorrow, and beyond."

That's the end of the quote from the dean—rather inspiring words. It certainly typifies what Dr. Ross and Bud Wildman explained to me when I met with them recently, when they spoke of the personal and intimate learning environment. With just 1,300 students and an average class size of 25, it's a very valuable offer they have in terms of more direct and personal interaction with your professors and peers.

When I went to the University of Toronto, my international relations class, poli 208, had 1,100 students in it. We had to have the class, with Professor Janice Stein, at Convocation Hall. That continues today. So when I hear the government bragging about all the money they put into universities, they sure haven't brought down class sizes. According to the Ontario Confederation of University Faculty Associations, we need to hire 5,500 full-time professors right now just to keep up with the increased student enrolment that we've seen under this government—but we also saw it under the previous Mike Harris government.

I just want to conclude by saying that some of the programs the college currently offers, with 30 degree options, range from computer science to fine arts, business administration, community and economic and social development. I know once this legislation is adopted, this list will grow even larger.

I want to conclude by saying to the board, staff, administration, alumni and to the local municipal council and Mayor John Rowswell, who I know well from my days as the Minister of Northern Development and Mines, you have the support of John Tory and the Progressive Conservative caucus. We're prepared to allow speedy passage of this bill because we agree with it, and we agree with you and know that this is good news for northern Ontario and for Sault Ste. Marie. We commend everyone who has been involved at the local level for

their persistence and strong resolve to see this initiative become reality. Congratulations.

0940

**Mr. John O'Toole:** It's a pleasure to join this morning with my colleague and the critic for the ministry, Mr. Wilson. I appreciate his remarks. My remarks will be very much the same. I think all of us are willing to celebrate good-news events and certainly, for Algoma U, this is a good-news event. In fact, it reminds me of the time, going back some years ago, when, in a similar situation, the community I represent—at that time, part of my riding of Durham included Oshawa. In fact, it included the part of Oshawa where Durham College was. Durham College, like Algoma, was the main educational institution in Oshawa, but it did have partnerships with Trent University, because I had taken courses there, as well as, I believe, some with York University. So there were a couple of universities that offered courses at the college over the years. Your degree, as my colleague Mr. Wilson said, would be from the university that had the charter. The loyalties and those things sometimes get lost, and the history and the romance, if you will, of that experience of going to college or university is often affiliated with your alumnus, with where you actually went physically, but your degree will say something quite different.

I think it's important to look at Bill 80's explanatory notes in the brief time that we have here. It says, "The bill dissolves Algoma University College (hereinafter referred to as the 'college') and re-establishes the institution as a university to be known as Algoma University." So it is transformative.

In the case of Durham College, it remains an independent institution, and there is the University of Ontario Institute of Technology, which is a fully recognized, degree-granting university, but they share a campus and they share many resources. They did try something quite innovative at that time. My colleague from Simcoe—Grey tells me that the experience, back when they had the double cohort—you may recall the elimination of the fifth year of high school, then called grade 13. That was eliminated, I guess, in around 1999 or 2000, or somewhere in there. That created a dilemma where students who were in their transitional period, in grade 12—it took about five years to sort of ramp up the content of the curriculum, so that there were really two years graduating at once: those in grade 13, the last group, and those finishing their high school with grade 12.

The double cohort was in all the media and all the press, and lots of criticism rendered toward Mike Harris, but those were transformative times. They actually expanded the capacity and the number of seats and grants to the universities, and at that time, created the new University of Ontario Institute of Technology. I go on to say that because I think we created 20,000 new spaces in universities. That was a huge change. That dilemma of the double cohort virtually disappeared; it never really materialized. Why I say that is that the great outrage was



that they expected that everyone would go automatically from grade 12.

How relevant is this is? This is just the ongoing part of the pursuit of higher education. We know that we are all in a knowledge-based economy. Not just for Sault Ste. Marie, but for the students and those who will attend, it's more convenient if that is located in their community. About half the cost of university—having had five children, my wife and I had three in university for three or four years. Some of them went beyond and took more than the four-year course. The point being that the living accommodations, if you're living away from home, cost as much as the university itself. So that part of it is good.

More and more young people are attending post-secondary today, and many of them choose—because of pressures, I suppose, or prestige—a university. Many of those students—I can tell you that almost all of our five children—all of them have a degree, but almost all of them went either to a postgraduate degree or to a college degree to sort of get some real-life skills and experience.

It means so much in Durham's case that that university, UOIT, which is a bit of an awkward name in a way—they wanted to call it DUC, like Duke University. They wanted to call it Durham University Centre. That was the original name that the community wanted and it probably would have been more comfortably pronounceable, as opposed to UOIT. Algoma University—AU—is an extremely comfortable name. It brings so much to a community beyond the institutional names, for the students, the community and the academic infrastructure. Even the saleability of the community in a marketing sense is improved. There is no negative aspect that I can see. It attracts another level of society—I don't want to be snobbish about this—and everyone in the community benefits.

I'm going to try to relate my experience in watching the growth of a new university. I had a very small, insignificant role, unlike perhaps David Oraziatti. It seems he had a very important role. I wouldn't want to criticize that; I think you should be very proud of that. The university has grown. In fact, I know one person who is very heavily involved. I think he's on the academic side, in the sports program. They have a rowing team, quite a good rowing team. They have an Olympic-level coach for the rowing team. For young people, the rowing opportunity beyond academics is invaluable.

There is another wonderful partnership that was just agreed to by the Oshawa Durham Symphony Orchestra. You may not have heard of it. I was at the symphony a few weeks ago. The University of Ontario Institute of Technology and its president, Ron Bordessa, were on the stage with another gentleman who is the president of the board of the symphony. They formed a partnership, and the symphony is now going to have its home at the university and, as such, is going to be building an appropriate facility on the campus over time.

Those partnerships may not have a direct relationship to Algoma, but I see Sault Ste. Marie as a similar kind of place. It's an area I've been to many times. I will speak a

little bit about that. It's those kinds of partnerships that make the community richer for everyone: those who enjoy classical music, those who enjoy the research aspect, the connectivity with intelligent discussions, debates and dialogue. It's enriching. They will have visiting lecturers, and all sorts of themes will go through the community, talking about economic opportunities, educational opportunities etc. A university does bring a lot to a community.

Again, I did talk about the fact that the perspective here should always be, most importantly, the students and the opportunities for them and their future, and that's been brought out in this discussion on Bill 80. The programs that will be offered there, as well as addressing the needs of First Nations—in my notes here it says that Algoma University College was established in 1964 and has been affiliated with Laurentian University in Sudbury. Today, Algoma U offers undergraduate degrees, including bachelor of arts, bachelor of science, computer science, business administration, fine arts, law and justice, community economics and social development, and biology, among others. It's also the North American home of the renowned University of Abertay Dundee master's degree in computer game technologies, an M.Sc. (CGT) degree. So there it is, a university in Sault Ste. Marie offering high technology.

#### 0950

This brings me to a whole other level of discussion. I have, as I said, five children, and I'll just give you one example of how global universities and education really are. My youngest daughter has a degree from Windsor, a Bachelor of Commerce, I believe, and is pursuing her master's degree in—I think it's Edinburgh. Anyway, it's in the British Isles. She lives in the Isle of Man. It's not an executive M.B.A.; she has been working on her M.B.A. for three years. She was in London, because her sister is a high school teacher in London, England, and took courses at the London University.

My daughter Rochelle's fiancée is a securities lawyer. David Oraziatti may even know him because he's from Sault Ste. Marie. He's a very smart young guy too. He actually has an M.B.A. law degree from Dalhousie. I'm not sure—I believe he got his undergraduate degree in the Soo; it may be from Laurentian. And he played pretty competitive hockey. His name is Jason Trainor. I say that to David because, as I mentioned, they live in the Isle of Man now and he practises law for a firm—because it's a tax haven location. This is how important education is. He's actually pursuing further studies online at a virtual university through the law firm that he works for out of London, England. Many courses today, especially MBA-type courses, specialized courses, are almost like virtual sites online.

I personally took M.B.A.-level courses when I was at General Motors. The program was out of Northwestern University. We went there once but most of the courses were online.

The beauty of a destination location is that the physical university plant is probably more important for the community than one could really imagine. As I said, one



of the courses they're quite famous for is computer gaming technology, this M.Sc. in CGT, gaming technology. I can imagine that those courses in gaming technology probably could be offered online. Why would you need a physical location? I'm sure some of the things now in gaming technology and gaming generally—I'm not a big fan of these things, casinos and things, but it's all tied to what's being talked about here. The basis for that kind of course material is the use of computers, as well as mathematics. Most of those things are probability things, about how much money the government will make. That's the problem with it.

I would say that people pursuing these courses could be doing it online. They could be paying tuition to Algoma. The community could be benefiting from somebody living in Arizona—or as I said before, with my children, in other places—doing it online and learning how to become more proficient in some advanced skill.

I think it is wonderful. I've covered a broad range. First of all, the most important thing is for the community, whether they're First Nations or just young people who live in Algoma and don't have all the money in the world to go to the University of Toronto or Queen's University or the University of Western Ontario or the University of Waterloo.

I became very engaged in the importance of post-secondary education, because I did most of my degree work on a part-time basis. I did go full-time, but I did most of the degree work part-time at about three universities. I was hired by GM, and I had one year of university. It's quite interesting—more of a personal story here, Jim—how valuable this is. The lesson here is that Algoma now is a destination for people who may not otherwise have gone to Sault Ste. Marie for some specific course. That person can become a benefactor, eventually, to that community and to that institution.

I took courses at Sir George Williams University because I was transferred to Sainte-Thérèse, Québec, with General Motors, and it was the only university in Canada that offered night-time courses in an undergraduate program. I was there when they had the big computer revolt. I was taking computer science. They just about destroyed the university. They threw all the computers out the window—it was right downtown in Montreal. Some people may recall that. It was a huge event in 1968 or 1969, somewhere in there. So it goes back a bit of time. That university eventually was transformed. It's not Sir George Williams now; it's Concordia.

I took some courses at McGill, which began to offer courses in a business program at night—evening programs. My wife was going to McGill at the time. So we were living in a student residence. I took about eight courses from McGill. So I had all these different courses, but they were all from different universities.

Then I worked a bit of time in other locations, but I was transferred back to Ontario and ended up at Atkinson College, part of York University, which was the first to offer night-time courses, and I went to York. I think I

took three or four courses there. Then the University of Toronto offered courses. I knew people who were going there who worked for the Ministry of Education—a good friend of mine still to this day, Mavis Carleton. We drove together. Eventually I found out that to get a degree you had to have 10 courses from the university. I had eight or nine courses from three or four universities. I had something like 30 credits, but I didn't have a degree per se, so I had to finish 10 courses at the University of Toronto, and that's where my degree is from. I had 36 credits or something, but you only need 20 for an undergraduate degree. It's quite a thing. But I still feel, as I've just described, over those 20 or so years, an affiliation for each of those universities. I'm sure that the students in the future who will attend Algoma will have great stories and history to tell.

How important is that whole thing of the alumnus? I can tell you, I get letters from them all, I think, because as I said before, I had taken other courses, but my wife is an alumnus as well. In the news this morning is an example of what it means to be an alumnus of a school. This was an article in the *Globe and Mail* this morning. It says, "Developer Gives U of T a \$14-Million Gift." It's quite a remarkable story. It says:

"Mr. Daniels, 81, returned the favour yesterday, with a \$14-million gift to his former faculty. The donation includes \$5 million for scholarships, with preference going to budding architects who, like Mr. Daniels, are the first in their family to go to university." So it transformed his life. In fact, it must have been an amazing family, because he says in this article that he had difficulty meeting his tuition and other expenses and the university gave him a hand so he could complete his studies. So it's a great investment the university made in him, both in knowledge as well as opportunity, and it certainly paid a handsome dividend. He goes on to say as well in the article:

"Mr. Daniels, who graduated in 1950, spent his first year in architecture at a makeshift campus in a munitions plant in Ajax, Ontario"—in fact, that's quite a famous story. The University of Toronto architecture program was offered in Ajax, which is in Durham region. It's such an interesting story. This is one story that was in the clippings today—it's not something I'm making up—about how important universities are, and their history, and the people as well as the facilities themselves. It says:

"Mr. Daniels said he decided to make the gift now while he is able to enjoy it and because he saw the need. His nephew"—this is Mr. Daniels's nephew, and this is interesting too—"former U of T law school dean, Ron Daniels—"

#### *Interjection.*

**Mr. John O'Toole:** That's right. Ron Daniels is a profoundly respected gentleman himself, a nephew of Mr. Daniels, and was instrumental in initiating the gift to the university. It's transformative, and I think that's the best thing we can say about this today.



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Some of the current presidents of the universities—Paul Davenport, I think, from the University of Western Ontario, the head of COU, the Council of Ontario Universities—I don't think, are ever really happy when there's a new university; these are my concluding remarks, and probably the only critical thing I'll say. It's another mouth at the table, another plate at the table. Unless more money is put into the post-secondary process, they'll all be a little bit poorer in terms of operating revenue.

If you look at how important this whole process of funding a knowledge-based—and, more importantly, a technically based—economy is, there's a very famous report from about 1998, called the Smith report. Smith was president of Queen's University and wrote a report on the funding of universities. It's a report you should have a look at, because even today, when we've had the Bob Rae study, issued about a year and a half or two years ago, saying they were going to give \$6 billion, the university students were here two months ago complaining that there's not enough money and tuitions are too high—higher in Ontario than in any other province. So there is a lot of work to be done here. It's wonderful news, but if this is really a serious commitment to post-secondary education and opportunities for our youth—in fact, an opportunity for our economy and a really important investment—then I want to see the money.

As part of this debate, I challenge the minister, as well as the Minister of Finance, to show me the money. At the end of the day, all the sentimental comments that are being made are just that if there's no money to make this a success. I say to you myself that UOIT, a very innovative university, a strong university with a great academic team as well as lots of pressures in the community and opportunities as well, with General Motors, Ontario Power Generation and the first nuclear program, does need money. They need money for facilities and expansion, and to replace technology that's being outdated. So there is work to be done here.

This is good news. We would be supportive of it. Mr. Wilson, our critic, and myself are here to say that John Tory and our team are in support of this. We are in support of a knowledge-based economy for the right reasons: It's opportunities for young people and indeed for Ontario's future.

**M<sup>me</sup> France Gélinas:** I'm also very happy to rise in the House this morning to talk about Bill 80, the Algoma University Act. This bill is about the possibility of a promising new post-secondary education opportunity in this province. I am, of course, talking about the process of establishing Algoma University College, currently an affiliate of the respected Laurentian University, as a university on its own, Algoma University—it sounds good, doesn't it?—a university of distinction here in Ontario, and across Canada and the globe.

To begin, I want to particularly commend the hard work of Bud Wildman, the chair of Algoma University College, and their dean, Mrs. Celia Ross, for their efforts

in moving forward this long-standing aspiration of a stand-alone Algoma University as a beneficial addition to the educational landscape of the north.

I also want to highlight the co-operation of Mrs. Judith Woodsworth, presently the president of Laurentian University, and everybody at Laurentian University for their assistance during the transition. I know that Mr. Robert Bourgeois, who will become the interim president of Laurentian University on August 1, will continue the good work to make sure that the transition on the ground happens smoothly.

Il me fait plaisir de participer au débat du projet de loi 80. Ce projet de loi ouvre la porte envers la création d'un établissement d'enseignement postsecondaire dans notre province. Je parle, bien entendu, du collège universitaire d'Algoma. Le collège universitaire d'Algoma est présentement un des collèges affiliés de l'Université Laurentienne. Avec ce projet de loi, on en fait une université indépendante, l'Université Algoma. Il me semble que ça sonne bien. Ce sera ici en Ontario et pour tout le Canada.

Je veux commencer par souligner et remercier M. Bud Wildman, qui est le président de l'Université Algoma, et la doyenne, M<sup>me</sup> Celia Ross. Grâce à leurs efforts et leur vision, ce projet important s'est matérialisé. L'Université Algoma sera une université indépendante, une addition importante pour le nord de l'Ontario et tous les gens qui y résident, ainsi que pour l'Ontario, le Canada et le monde.

Si—vraiment, je devrais dire « quand »—ce projet de loi sera mis en œuvre, Algoma sera la quatrième université indépendante dans le nord de l'Ontario. Le nord a besoin des ces institutions. Les institutions d'enseignement sont tellement importantes pour tout le monde, mais spécifiquement pour les gens du nord.

J'aimerais partager avec vous quelques exemples dans mon comté de Nickel Belt. Parce que nous avons l'Université Laurentienne à Sudbury, les gens et les agences de mon comté en ont bénéficié beaucoup. J'aimerais vous donner l'exemple de D<sup>re</sup> Marie-Luce Garceau, qui est professeure au département de travail social de l'Université Laurentienne. D<sup>re</sup> Garceau était sur le conseil d'administration du Centre de santé communautaire de Sudbury, où je travaillais. Elle a décidé de se joindre à notre comité de développement de la qualité continue.

Grâce à ses efforts et à ses connaissances, elle a révisé notre questionnaire de satisfaction de la clientèle. Ceci nous a permis d'aller chercher des commentaires de notre clientèle qu'on n'aurait jamais pu obtenir si on n'avait pas fait les révisions qu'elles nous a suggérées, et parce que la clientèle a été capable de dire spécifiquement comment on pouvait mieux répondre à leurs besoins, nous avons fait des changements significatifs à la façon dont on offre les services de soins primaires.

Parce que nous avons une université et parce que nous avons eu son expertise, les changements concrets ont eu lieu sur le terrain, et qui ont mené à des meilleurs soins pour les gens de Sudbury. Ça aussi va arriver à Algoma lorsque l'université sera pleinement en fonction.



J'aimerais également mentionner les efforts de M<sup>me</sup> Anita Pelletier. D<sup>re</sup> Pelletier travaille au département de nursing de l'Université Laurentienne. Elle aussi a participé à démontrer comment l'enseignement du nursing aux gens qui sont dans ce programme met l'accent sur la promotion de la santé et la prévention de la maladie, pas seulement sur le traitement. Elle a aidé la communauté à mieux comprendre le rôle de l'infirmière, un rôle qui est beaucoup plus vaste que de soigner les malades. Ce ne sont pas des gardes-malades, comme je dis souvent à mes collègues; ce sont des infirmières qui ont des connaissances en promotion de la santé, en développement communautaire, en prévention de maladies, et ça, parce que nous avons une école de nursing à Sudbury, c'est un message qu'ils ont été capables de véhiculer.

Les jeunes du nord qui choisissent d'étudier à Laurentienne ont beaucoup plus tendance à demeurer dans le nord. Je ne connais pas les statistiques par cœur, mais elles parlent vraiment fort. Parce que nous avons l'Université Laurentienne, il y a eu des collaborations qui se sont faites avec le programme de nursing du Collège Boréale, ainsi que celui du Collège Cambrian, ce qui veut dire que les infirmiers et infirmières qui ont fait leurs cours au collège peuvent faire la transition vers l'université de façon beaucoup plus facile. Ça rend l'accès à l'enseignement du nursing beaucoup plus accessible à tous les gens du nord, et ça rend également le recrutement des infirmières plus facile.

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L'autre programme qui rend le recrutement plus facile, c'est le programme de sage-femme. Parce que nous avons un programme d'enseignement, le cours de sage-femme, dans le nord de l'Ontario à l'Université Laurentienne, ça nous a permis, entre autres, à Sudbury, d'ouvrir deux cliniques de sage-femme.

Et, bien entendu, un modèle qui est unique en son genre en Ontario, c'est le modèle de la clinique d'infirmières praticiennes. Ça, c'est directement lié au fait que, parce que nous avons une maison d'enseignement, l'Université Laurentienne, qui enseigne le cours d'infirmière praticienne aux gens du nord, nous avons des infirmières praticiennes dans le nord de l'Ontario et nous avons la seule et unique clinique d'infirmières praticiennes.

Ce sont des bénéfices concrets pour les gens de Nickel Belt, de mon comté, parce que nous avons une université.

Maintenant, les gens d'Algoma, de Sault-Sainte-Marie, Wawa, Dubreuilville, White River—tout le monde dans Algoma pourra bénéficier des mêmes avantages à cause de la création de l'Université Algoma.

If—and really I should say “when”—the bill is called, Algoma will become the fourth independent university in the north. Educational institutions in the north are so important, not only to the people living in northern Ontario, but for all of Ontario.

I know from experience in my own riding that because we have the Laurentian University campus located in Sudbury, it has changed the city. I'd like to give you an

example with Dr. Marie-Luce Garceau. She was a member of the board of directors of the community health centre where I worked. Dr. Garceau sat on our continuous quality improvement committee and reviewed the satisfaction questionnaire we had for clients. Because of her work in changing the questionnaires, we were able to get some feedback from our clients that we had never been able to get before. Because of their feedback, we made some very specific changes to the way we offered services to the people of Nickel Belt, Sudbury and the surrounding areas where we offered services. Because of this, the services improved, the quality of services improved, and the satisfaction, from the clients' perspective, with those services improved.

The link was so direct because Dr. Garceau happens to work for the school of social work, and because we have a school of social work in Sudbury, we have professors who get involved in their community and we were able to directly impact the quality of care of the people receiving care in Sudbury. Many, many researchers affiliated with Laurentian University do research that is very pertinent to the people living in the north, and living specifically in Sudbury. In the mining industry, there are all sorts of students, professors and teachers that do research.

I'd also like to give another example from a field I know better, which is health care, of Anita Pelletier, who is a professor in the school of nursing at Laurentian University. Madame Pelletier was able to educate the public as a whole as to the role of nurses. Nurses are not only there to treat people once they are sick. Through their training, they learn about health promotion, community development, and disease prevention. Through the work of Mrs. Anita Pelletier and the talks that she's given throughout her community, people better understand the roles of nurses in the health care system and how they are important in keeping people well. I credit this to the fact that we have a faculty of nursing in the north at Laurentian University.

There are three other examples that I'd like to talk about.

There's a partnership that exists between Laurentian University and Collège Boréal, as well as Cambrian College. This partnership allows nurses who have trained at the college level to do a smooth transition toward university. This has helped a lot of nurses get bachelor of nursing degrees, as well as making sure that we had a good workforce of nurses for the people of the north.

Another one is the school of midwives. We have a school of midwives in the north. In Sudbury alone, we have two independent clinics that offer midwifery services to the people of the north; here again, directly linked to the fact that we have a teaching institution in the north for those professionals.

Of course, I have to talk about nurse practitioners. Sudbury is the only community in all of Ontario that has a nurse practitioner-led clinic—the only one. Here again, the link is direct. Because we have a school of nursing in Sudbury, because those professionals are able to stay in the north to take their training, we were able to have the



first and only—so far—nurse practitioner-led clinic. But I know there will be more because it is such a great idea and it's making such a big difference in access to primary care for the people of Sudbury and surrounding area.

All of those benefits will also be available to the people of Algoma. The fact that they will have a stand-alone university in their own community will change forever the lives of the people of Algoma.

I'd also like to talk a bit about what happened in Sudbury when Collège Boréal was first introduced. Collège Boréal celebrated its 10th anniversary. It is a French college based out of Sudbury with campuses all over. It has changed the face of Sudbury. You hear French being spoken way more downtown. It is an active participant in all of the social fabric of our community and has really helped francophone students become educated. The number of francophone students going on to post-secondary education has increased greatly because they have access to a French college in Sudbury and through their campuses. I am sure the same thing will happen in Algoma because as Algoma University grows and prospers, there will be more people from Algoma, from northern Ontario and from all of Ontario who will choose to pursue post-secondary education. They are great opportunities for the north.

Schools in the north are not necessarily the same as other schools in the province. Very often, they provide unique programming and learning opportunities not found elsewhere, often in a very personal and community-focused way, in settings that are, to be honest, breathtaking.

I had the opportunity to study at Laurentian University. Because it was in my community, I was able to keep working as a physiotherapist and attend MBA courses at night at Laurentian University and to graduate. Those opportunities will also be offered to the people of Algoma, who will be able to take training on-site or off-campus and through continuing and online education.

In the case of Algoma, it seems that it is in keeping with this approach. Members of the administration and faculty, with the support of students at Algoma, have been approaching this as an opportunity to highlight and incorporate the community into the educational institution, looking at this as an opportunity for enrichment for both students who will be attending, hopefully, from all geographic areas, and those who live in the immediate vicinity.

They have worked hard to establish partnerships in local subject areas, the first one being in forestry. God knows that the forestry sector is having a hard enough time right now. A little bit of help from the university is certainly welcome. They've also established a partnership with the Northern Ontario School of Medicine. Particularly, they've established a very strong partnership with the First Nations.

It has been a heartening process in bringing answers to questions about how to respect First Nations' interests and to work side by side, with consultation, on how to make the proposed university work. Consultation with

the First Nations is a theme that we hear lots about in this House—consultation as to mining exploration—and it's not always done well. In the case of Algoma, they put in the time, effort and energy to make sure that the consultation was well done. It has been an approach that has resulted in a healthy dialogue and a plan that sees First Nations and non-First Nations programs exist alongside each other with no barriers on campus—quite an achievement. Most of all, it respects First Nations governance, which is so important. This is particularly unique to Algoma relative to other First Nations programming. I realize there is First Nations programming that is available in a number of post-secondary institutions in Ontario but Algoma is the only one that has developed the governance piece which is so crucial to success. With its partner, Shingwauk Education Trust, Algoma has signed a sacred covenant and has agreed to a statement of common understanding in fulfilling the vision of Chief Shingwauk in the creation of a post-secondary education program called Shingwauk Kinomaage Gamig. Together, they are developing an educational environment of international merit. This mutual understanding manifests itself in the key application that the approved courses at Shingwauk Kinomaage Gamig will be delivered by renowned and respected Anishnaabe educators.

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This is an important achievement, one that has been questioned by some—there may have been tension, and others didn't like this possibility. Regardless, the outcome has been positive. But, here again, it has required a lot of respect, a lot of consultation and a lot of hard work. Further details are naturally still being worked out, but worked out together, so that the entire community can benefit and grow. What a plus for the people of Sault Ste. Marie and Algoma. This is an example that this government will do well to look at when it comes to matters in relation to education, and specifically in matters of First Nations. Consultation and respect for their rights and governance as a nation are crucial to any success. Algoma was able to do it. They serve as a model for others to follow.

For a small school, Algoma is looking to grow, hoping to expand its 1,200-student campus. This requires independence and the legitimacy that is being sought. The hope for Algoma is that they can begin spreading the message of their institution and recruiting students over the summer—an essential part of success as they embark on the university path. It is a campus that is known to be a friendly, welcoming and personal place, and the intention is for it to stay a small, high-quality teaching institution, one that is open to students from the north, of course, but also to students from across Ontario, Canada and internationally as well, because of the high-quality education and specialized programs they have been able to put in place.

In drawing support, Algoma has looked to provincial, federal and private community partnerships that provide high-quality, specialized learning opportunities and



unique programming. In order to achieve success in the most complete and promising way, Algoma University will require a great deal more financial assistance than it has been receiving. I think some of my colleagues have already alluded to this today. We call on this government to ensure that this is received and that there is adequate investment in what certainly promises to be a boon for the north, for education as a whole and for the entire province.

Algoma is an example of an institution which is negotiating its growing place in the community, having a dialogue on the process and opening its doors far and wide, wanting to continue to be a welcoming community.

As New Democrats, we want the best opportunities and education for our future generations, but we also acknowledge the reality in this province, where the cost of education is becoming increasingly prohibitive. There is huge student debt, which compromises the future success of our graduates, and cash-strapped institutions that struggle to cover costs and maintain the high quality we expect from every school in Ontario.

Ontario is at the bottom, dead last in per capita spending for education in Canada. These detrimental trends must be reversed. In this province, we have to realize that the phrase "education is a right"—it's not a privilege; it is a right—commit to it and make it a reality.

We hope, as Algoma goes through the challenging yet rewarding process of developing, that there will be mindfulness of accessibility to higher education and that it can be a strong voice for advocacy. In doing so, we will support this bill and wish success for the future Algoma University.

Les néo-démocrates vont continuer d'encourager le développement des opportunités éducationnelles dans notre province, comme la création de l'Université Algoma, pour tous ceux qui pourront en bénéficier. Nous allons continuer de revendiquer l'accès à l'éducation postsecondaire pour tous les Ontariens et Ontariennes. Félicitations à l'Université Algoma. Je veux vous assurer que vous avez l'appui du parti néo-démocrate.

New Democrats look forward to the prospect of future opportunities for educational enrichment in this province for institutions like Algoma and most of all for the benefit of the great minds of the future, learning and flourishing here in Ontario. We will continue to fight for high-quality post-secondary education accessible to all Ontarians.

Congratulations to Algoma University. I can guarantee that you have the support of the New Democrats. Merci. Thank you. Meegwetch.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate.

**Mr. Michael A. Brown:** Thank you, Mr. Speaker. I usually enjoy having a seatmate here beside me, but this morning he's otherwise occupied.

I come to speak to this from a very proud legacy. This is a proud day for the district of Algoma, a proud day for northern Ontario and particularly a proud day for Sault Ste. Marie. I represent the constituency, as most of you

know, of Algoma-Manitoulin; 86,000 square kilometres and four districts are involved. Confederation College in Thunder Bay: I have many students from the Thunder Bay district of my constituency who go there. Many people go to Sault College who might be from the Algoma district. Many people go to Canadore in North Bay or Cambrian in Sudbury.

Many northern students in the college system go to northern colleges that are in my particular constituency. I'm proud that I have close association with Laurentian University, and with Algoma. I want to say how important and significant it is today to be able to stand here and know that the government is fulfilling a long-standing promise to Algoma which was made—it's not that long-standing—last June by the Premier, who has shown an amazing commitment to northern issues, to northern people and particularly to the Algoma region. Over a period of time, he and the then Minister of Training, Colleges and Universities, Mr. Bentley, and my very good colleague from Sault Ste. Marie, David Oraziotti, who has worked on this file very, very hard for years—he was a member of the board of governors before coming to this place. He has worked very hard on this file, and I think in many ways the credit here is to David Oraziotti for making sure that this bill is before the Legislature today.

I want to thank my colleagues in the other two parties who have supported this legislation and I know are helping us get this done over the next two days. I think it's important when we recognize that in this place we can all come together on issues to make sure that certain things happen.

I want to also recognize my friend the member from Vaughan, Mr. Sorbara. When he was the Minister of Colleges and Universities way back in the Peterson government of 1985 to 1987, he made significant progress working with Algoma University College to make sure that this institution was on a sound financial footing and that it moved forward so this day would eventually come. I know that Mr. Sorbara is thought of very highly in the Soo by those people who worked with him back in those days and then as the Minister of Finance, as he was in the last government. So I wanted to thank Mr. Sorbara for that.

1030

I want to say that many people have mentioned it, including my friend from Richmond Hill today, who talked about the knowledge economy and how important it is for all of Ontario, but especially northern Ontario, to be participating in making sure that the brightest minds have the equipment and the opportunity to reach their potential in terms of making an economy work for us. I think in northern Ontario that is particularly significant today. I want to commend those folks at Algoma University College—soon to be Algoma University—for all the hard work that they've done to make sure this has happened.

Many people won't know, but Sault Ste. Marie is unique. It is a northern city. It is the heart and the centre



of Algoma district. My constituency completely surrounds it. But it is also a border community. Sault Ste. Marie, Michigan is just on the other side of the St. Mary's River. One of the things that both Sault College and Algoma University College have done over many years is build bridges to the American institutions on the other side of the St. Mary's River. They've worked with Sault College to make sure that we got great synergy out of the educational system in Sault Ste. Marie, and that has benefited us all. I think the creativity extends to the fact that they have a partnership now with a Scottish university, Abertay, in which they're providing a master's program today. This is an institution that has matured and has shown its ability to move forward.

In many ways today is a proud day for my family, for the Brown family. I was thinking about this when I was coming over to speak. As many of you know, I have four daughters. Number three daughter, Michelle, went to Laurentian University. She studied there. But my fourth daughter, Paula, who is in my good friend from London—Fanshawe's riding, studied at Sault College and then went to Algoma University College. I remember the day that Paula graduated. I stood there, as any proud father would; my wife and I stood with Dr. Judith Woodsworth, who is presently the president of Laurentian University, who actually granted the degree. I stood with Bud Wildman, the chair of the board of Algoma University College, and I stood with Dr. Celia Ross, whom I've known very well and worked with for quite a long time. We stood and we got our pictures taken together, outside. In doing so, Dr. Woodsworth spoke of how Laurentian University was so proud to have worked with—she knew this day was coming. The relationship between the mother university, if you would have it that way, and Algoma was to the point of being matured, and she was supportive of having Algoma University College become an independent facility. I thought, "You know, that's pretty amazing: four daughters—two have gone off to university in southern Ontario, two at northern universities." But more amazing is that one of my daughters had the good sense to marry a fellow from Scarborough. Do you know where he went to school? He went to school at Lakehead. He went to school to become a teacher at Lakehead. I think, more than anything, we, as northerners, have to understand that when we do things that are as good as or better than others, we will attract people, not just from southern Ontario but from around the world. For Anthony, who went from Scarborough to Lakehead University, to another northern Ontario university, I am so pleased.

In many ways, my family kind of represents what we wanted to do with our post-secondary education. Our children have pretty much gone across the province to school; some have gone outside of the province. One has a degree from an Australian university. But it is what we need to engender in a world that is more competitive. It is truly a global village. It is truly a place where children or young people need to understand that we can compete, and will compete, on the basis of knowledge in Ontario.

That is how we're going to compete, and we have to make sure that the institutions are available for them to do that through all of this province, including northern Ontario. That's 90% of the land mass with only a small percentage of the people, but we are a critical part of this province. We supply much of the wealth. We certainly supply a great deal of the expertise and knowledge. Today, when we pass this bill—actually tomorrow—

**Mr. Mike Colle:** If.

**Mr. Michael A. Brown:** Yes, correct. If the Legislature passes this bill tomorrow, then we will have done something of significance not only to the entire province but to northern Ontario, to Sault Ste. Marie and particularly to all those young people—the reason that most of us are here today.

I look at our pages out here. I know we have a few from northern Ontario, at least a couple, I think. They will have the opportunity, many of them, to go to school in northern Ontario if they so choose. More importantly, maybe they will meet in their community students from around the world who will choose to come to our universities to be educated. I think it is hugely important that we can do that.

Today I would just thank all members for endorsing and working hard to make sure that this particular piece of legislation comes to fruition in the near future—hopefully tomorrow—and that we can move on to the increased partnerships, the great potential of an Algoma University that truly reflects northern Ontario, our First Nations communities and the people of all Ontario in a way that I know we'll all be very proud of.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? Does any other member wish to speak?

Mr. Milloy has moved second reading of Bill 80. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**The Deputy Speaker (Mr. Bruce Crozier):** Shall the bill be ordered for third reading? Agreed.

**Hon. David Caplan:** Speaker, I seek consent for the House to recess until 10:45.

**The Deputy Speaker (Mr. Bruce Crozier):** The deputy House leader has asked that we recess until 10:45. Agreed? Agreed.

*The House recessed from 1038 to 1045.*

## INTRODUCTION OF VISITORS

**The Speaker (Hon. Steve Peters):** I'd like to welcome some guests to the chamber today.

On behalf of the member from Hamilton Centre: in the west public gallery, Julie Craven and John Craven, the mother and grandfather of Jared, the subject of the member's Bill 81.

In the west members' gallery: on behalf of the member from Mississauga South, Lily Ainsley.

On behalf of the member from Welland: in the west members' gallery, Jason Gwartz, a former page from 2005 from St. Catharines. And Gabrielle Grant, whom



I've just met, is going to be a page in the House of Commons this fall.

On behalf of the member from Hamilton East–Stoney Creek: Mr. Joe Krmpotich, the recording secretary of United Steelworkers Local 2251.

On behalf of the member from Oak Ridges–Markham: in the west members' gallery, Shaista Ali, Raafia Ali and Imtiyaz Patel.

On behalf of the member from Haliburton–Kawartha Lakes–Brock: in the west members' gallery, Beverly Roy, her constituency assistant; and Jiliana Davies, a co-op student who is working for the member and attending high school in Lindsay.

On behalf of page Alie Crump, in the east members' gallery: Erin Burke, her cousin; Linda Burke, her grandmother; and Anne Wilson, her aunt.

On behalf of page Damian Ewing: Michelle Ewing, his mother; Berry Hadley, his grandfather; and Beverley Hadley, his grandmother. They are in the west members' gallery.

To all of our guests today, welcome to Queen's Park.

## ORAL QUESTIONS

### INFECTIOUS DISEASE CONTROL

**Mrs. Elizabeth Witmer:** My question today is to the Minister of Health. Yesterday, you repeatedly told this House and the press that you had no idea as to how many deaths had been caused by *C. difficile* in Ontario. That is difficult to believe, since the January 2007 coroner's report into those deaths in Sault Ste. Marie said that it was the responsibility of the infection control practitioner in each hospital to track the cases and their outcomes. So, Minister, if the hospitals have the numbers, why will you not release them? Why are you failing to protect the public?

**Hon. George Smitherman:** I want to thank the honourable member for her question about reporting information related to *C. difficile* and, indeed, to a wider range of patient safety indicators in the province of Ontario. I've been very privileged this morning to make evident to all the people of Ontario by way of a press release that it's our government's intention to move forward with a very substantial initiative with respect to the reporting of these patient safety indicators, starting with *C. difficile*. The information that the honourable member mentions will, as of September 30 this year, be available to all the people of Ontario by way of consistent reporting to a single website. This initiative on the government's behalf will be led by the physician-in-chief of the University Health Network, a noted expert in the area of patient safety, Dr. Michael Baker.

**Mrs. Elizabeth Witmer:** It's evident that the minister is in full damage control. But I ask the minister: Do you really expect the public to believe that you don't know the number of people who have died in hospitals from *C.*

*difficile*? This government knows how many eggs are laid each year in Ontario. They know how many bear sightings there are each year. The press was able to get the figures from at least seven hospitals. If you take a look and you extrapolate, it means maybe there was a total of 5,000 or more. Minister, were there 5,000 deaths? Were there 6,000? How many people have died and what are you covering up?

1050

**The Speaker (Hon. Steve Peters):** I have ruled on that phrase in the past and I just ask the member to withdraw that comment, please.

**Mrs. Elizabeth Witmer:** Mr. Speaker, I would then say, "what are you keeping secret?"

**The Speaker (Hon. Steve Peters):** Please withdraw the comment that you had initially made.

**Mrs. Elizabeth Witmer:** Would you prefer "keep it under wraps"?

**The Speaker (Hon. Steve Peters):** I just ask that you not challenge the Chair. I just ask that you withdraw the comment that you made.

**Mrs. Elizabeth Witmer:** I withdraw the comment.

**The Speaker (Hon. Steve Peters):** Thank you.

**Hon. George Smitherman:** There has been no mechanism to date established in the province of Ontario which brings to one place all of the information with respect to this wide variety of patient safety indicators. That's why the initiative to dramatically enhance the transparency associated with the operations of our hospitals is an important step forward.

The honourable member will know from her time as Minister of Health that Ontario now has 157 unique hospital corporations, each of which will have an enhanced obligation to make this information public in a consistent way, which would be made available in one spot, on the same day, beginning on September 30 with *C. difficile*, and over the course of the following 12 months or so a dramatic expansion to eight patient safety indicators, which will give all of us a much better one-stop shopping glance at the patient safety indicators that are occurring with Ontario's hospitals. This initiative will see us in a prominent spot in the land in terms of this enhanced transparency.

**Mrs. Elizabeth Witmer:** We have indicated—and we certainly have widespread public support. I continue to get emails from families whose loved ones have died from this preventable disease, *C. difficile*. They are saying an immediate public inquiry is needed. You say you don't need one; you have all the information. Then I ask you again, how many deaths have there been, how could they have been prevented, and how many are we going to be able to prevent in the future as a result of an inquiry? So I say to you today, are you prepared to embark and order a full public inquiry in order that more people are not going to die between now and September 30 and later?

**Hon. George Smitherman:** It's the honourable member's use of the word "immediate" in association with the words "public inquiry" where things break



down. From all of our experience around here, we know that those are costly and that they take a lot of time. Instead, because the coroner has investigated quite recently into the circumstances related to C. difficile in Sault Ste. Marie and because of the advice that's available from doctors like Baker and Gardam, we feel very confident that the best interests of patients is served—not by asking lawyers to work for a period of time in review of this or that, but instead to have medical professionals deployed proactively to be providing information. We know transparency can be a powerful aid to patient safety in the circumstances. We agree that there are lessons that need to be learned and applied, but we feel very confident that the advice that is available to us allows us to act with undue haste, with a view towards patient safety. That's why the approach is informed that way.

### NATIVE LAND DISPUTE

**Mr. Robert W. Runciman:** My question's to the Premier. It deals with the city of Brantford, a community his Liberal government has left high and dry. Recently, Brantford city council passed two bylaws, one to prohibit protests at three specific development sites and another to stop HDI's extortion demands for development fees. Premier, do you and your colleagues support the steps that Brantford's municipal leaders have been forced to take as a result of your government's lack of support?

**Hon. Dalton McGuinty:** I want to say—in the supplementary I'll refer to my colleague the Minister of Aboriginal Affairs—at the outset that I know that the community of Brantford has been working hard on this, that they have brought a great deal of patience and goodwill to the table. They're building on a foundation of goodwill that's been in place for over 100 years in that community. We want to continue to work with the community and the First Nations community involved to ensure that we maintain this peaceful co-existence, grounded in a progressive, positive relationship.

I know things have not been easy there. We've heard time and time again from my colleague Dave Levac on this score, who has presented us with some of the concerns. He's played an instrumental role in terms of keeping the temperature down, bringing the parties together and trying to resolve those standing issues in a peaceful manner. I know that it's challenging and I know that the Minister of Aboriginal Affairs will be able to speak to some of the details connected with this.

**Mr. Robert W. Runciman:** I think that response will be cold comfort to the community, because as the Premier well knows, policing and property rights are strictly provincial matters. They have nothing to do with the federal government, which they frequently lob this off to.

Brantford has asked the Premier for help with increasing policing costs, lost tax revenues and to see the law enforced. They see investors who brought jobs and prosperity to Brantford being chased away by your

refusal to protect property rights and to enforce the rule of law evenly. Calls for assistance are ignored and your government continues to throw up its hands and say that you can't do anything. The mayor says, "We realize we're very much on our own in this. We're not getting the help we need."

Premier, it's your inaction, your lack of leadership that's forced Brantford to take these measures. No one disputes that there's a role for the feds on this issue, but there is for your government as well. Why don't you roll up your sleeves and get the job done, or are you just not up to it?

**Hon. Dalton McGuinty:** To the Minister of Aboriginal Affairs.

**Hon. Michael Bryant:** I've certainly spoken to the mayor and council and developers in that region on several occasions. The province is absolutely dedicated to rolling up their sleeves and finding every avenue of assistance to that fantastic part of Ontario.

I have to just say what my colleague the member for Brant said. As he said, efforts that are made to increase the tensions are not positive and anything that decreases the tensions is positive. We try and work with council, with the community and with the leadership of the member for Brant, Mr. Levac. We will continue to do that.

**Mr. Robert W. Runciman:** The reality is, Brantford has been forced to bring in these bylaws because this Liberal government has washed its hands of any responsibility for property rights, development fees, policing and the administration of justice. These are not federal matters; they're strictly provincial responsibilities.

Brantford's lawyers describe the situation as a critical problem that threatens the life of their city, yet you and your government sit by. Your silent MPP for that riding sits by. You sit on your hands and force the city to seek a court injunction to enforce those bylaws. You're forcing them to go it alone in dealing with lawlessness. I ask the minister, and through him to the Premier, when is the Premier going to stop the excuses and start doing his job by fulfilling his constitutional responsibilities to the people of Ontario?

**Hon. Michael Bryant:** I have to take issue—and I know that he cannot possibly believe it for a second—with his statement with respect to the efforts of the member for Brant. I cannot imagine any member of provincial Parliament who could have done more for his community and continues to do more for his community than the member for Brant, Mr. David Levac. The member has brought the community, Haudenosaunee Six Nations and developers into the same room. He is dedicated to providing solutions. He works every single day on this, not only to build bridges but to get solutions for his community, and it's thanks to him that we've had—

**The Speaker (Hon. Steve Peters):** Thank you. New question.



## ABORIGINAL RIGHTS

**Mr. Howard Hampton:** I have a question to the Premier. The McGuinty government's failure to properly consult and accommodate First Nations has brought the National Aboriginal Day of Action to Ontario early. Members and leaders of First Nations from across Ontario, indeed from across Canada, have gathered and continue to gather on the front lawn of this building to protest the jailing of First Nation leaders, forced to protect their traditional lands from a McGuinty government that has failed to properly consult and accommodate First Nations before recognizing mining claims.

I want to ask the Premier this: Has the Premier gone out onto the lawn here at Queen's Park, met with First Nation leaders and apologized for the McGuinty government's failure to properly consult and accommodate First Nations before recognizing mining claims?

1100

**Hon. Dalton McGuinty:** Let me just take the opportunity first of all to say that we look forward to all Canadians becoming better informed on issues that are of concern to our First Nations on the National Day of Action to be held across the country tomorrow. I think we can perhaps take some lessons from what is happening on the front lawn of this magnificent institution. There have been members of First Nations communities who have been out there for a couple of days now. They are making their presence felt in a peaceful and unobtrusive manner, in a respectful way. The security around here has responded in kind. That is exactly the kind of thing that we'd like to see happen throughout the country and, of course, here in Ontario during the National Day of Action itself: a peaceful, respectful dialogue, something we've been working hard to institutionalize as a government.

**Mr. Howard Hampton:** The Premier talks about a peaceful, respectful dialogue. I note that the Premier has not gone out to speak with aboriginal leaders, just as the Premier and his government have failed to properly consult and accommodate First Nation leaders, even as some of these First Nation leaders have been forced to spend over two months in jail. Why? Because they decided to protect their traditional lands after the McGuinty government failed to do that.

Premier, all of this could have been avoided. Sending a 58-year-old great-grandmother to jail could have been avoided if you, as Premier, had simply used section 35 of the Mining Act to say, "We are setting these traditional lands aside until we can find a resolution to the dispute." Instead, you allowed these people to be put in jail. Why did Dalton McGuinty not utilize section 35 of the Mining Act and avoid—

**The Speaker (Hon. Steve Peters):** Thank you. Premier?

**Hon. Dalton McGuinty:** To the Minister of Aboriginal Affairs.

**Hon. Michael Bryant:** Just off the top, the member may be aware, or may not, that the appeal that's taking

place today in fact recently recessed because Platinox basically consented to the appeal. The Ontario Attorney General was already taking the position before the court that it ought to be appealed, and obviously, defence counsel is arguing for an appeal. So in fact, this is an instance where it does appear that an appeal will be entered. The individuals, Chief Morris and council—I met with Chief Morris and Councillor Sam McKay yesterday—are out; never should have been in. That was the position that the Attorney General took before the court at first instance, that's the position that the attorney took on appeal, and it appears that that's exactly what is going to happen.

**Mr. Howard Hampton:** The point is that there was no need to send a 58-year-old great-grandmother to jail. There as no need to send the chief of Ardoch Algonquin First Nation to jail. There was no need for Chief Donny Morris, who simply seeks to protect the traditional lands of his First Nation, to be sent to jail. The Premier could have used section 35 of the Mining Act a year ago, six months ago, three months ago. The Premier could have acted. He could have said that it is not proper to send First Nation leaders to jail merely because they're trying to stand up for their constitutional and legal rights.

I think the Premier has to answer to that 58-year-old great-grandmother and all those people who simply acted to protect their constitutional rights. Why did the Premier fail to use section 35 of the Mining Act to withdraw the disputed lands so that innocent people wouldn't have to go to jail?

**Hon. Michael Bryant:** I agree. The individuals ought not to have gone to jail and that's why we opposed their incarceration at first instance. That's why the attorney took the position today that an appeal ought to be entered. That's why the attorney brought a motion to expedite the appeal. Ontario did that. We're in agreement. The jailing ought never to have happened, and it is fortunate that now it is over for chief and council. The member is absolutely right: They never should have gone to jail. They are now out. Unfortunately, they were in, but they are now out. The appeal is before the court, but it appears that it will be allowed.

So I say again, this government takes the position that we will continue to work with and support the First Nation of KI on a government-to-government basis—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

## LOCAL HEALTH INTEGRATION NETWORKS

**M<sup>me</sup> France Gélinas:** Ma question est pour le ministre de la Santé et des Soins de longue durée. Last week, the Change Foundation, a think tank funded by the Ontario Hospital Association, invited health care leaders from across the country to a symposium to talk about the rights and wrongs of health care regionalization. Though it was a closed-door meeting, Carol Goar from the Toronto Star was able to report key findings, one of



which is to bring all physicians under the LHINs. Can the minister tell us if he plans to go in that direction?

**Hon. George Smitherman:** Firstly, I wasn't part of the closed-door session, but I heard that 40 individuals came together and had a nice chat.

I think that piece of advice, as one example, is a problematic piece of advice. Firstly, the Ontario Medical Association prefers very clearly to continue to have their negotiations with respect to matters of compensation with the government of Ontario. We have abided with their wishes on that point.

But on the matter of the engagement of local health care professionals in decisions around how health care is organized, I don't think that's about doctors alone. What the LHIN legislation does do is create a mechanism where a variety of health care providers will come together with LHINs and work as part of the team helping to plot health care delivery models. I think that's a very, very effective approach, and I think it is far superior to that which was on offer from these unnamed experts.

**M<sup>me</sup> France Gélinas:** For many Ontarians, their family physician is their primary care provider, the only one. Other primary care providers, such as community health centres, are already under the LHINs. With the renewal of the OMA agreement currently underway, will the minister signal to the OMA that it is the government's position for all primary care providers, including physicians, to be integrated under the LHINs?

**Hon. George Smitherman:** If the question is a matter of integration, then I think if the honourable member was to review the legislation that brought local health integration networks to life, she would see that there is a mechanism there that engages physicians by the LHINs, alongside other health care professionals. This is a more appropriate way to think about a health care system—to have all of those, not just a special conversation with doctors, but to have a mechanism where doctors, nurses and allied health professionals are all part and parcel of that conversation.

The member knows very well from her time as a leader in the community health centre model that we believe in an interdisciplinary approach and we believe in integration. Accordingly, the mechanisms that we created at the LHIN level, where all those health care professionals will be engaged in a conversation—the same conversation—is a far better approach to this model. LHINs can integrate services and can plan for health care services even in instances where they haven't been responsible for negotiating contracts. We think the model that we've adopted is superior to the one that is on offer by the honourable member.

**M<sup>me</sup> France Gélinas:** The Change Foundation experts have pointed out the importance of including physicians in the LHINs. Having physicians operating under a small-business, fee-for-service model hinders the implementation of an interdisciplinary team, which we know provides the best primary health care, as the minister just concurred. The recent report from the Ontario Health

Quality Council makes it clear that we need to focus on health promotion and disease prevention, bringing primary care, including physician services, under the LHINs. Not just engaging them in planning, but actually having them under the responsibility of the LHIN, is a crucial step for Ontarians to reap the benefits of health care regionalization.

I ask again: With the talks between the OMA and the government currently underway, will the minister send a strong signal to the OMA that an effective system of primary care means the inclusion of all physicians under the LHINs, not just consultation and not just engagement?

**Hon. George Smitherman:** The first thing I want to say to the honourable member is that we're extraordinarily proud of the work that our physicians do. We have 1,700 more doctors practising today in the province of Ontario than even a few years ago. Through the expansions that we've made in the size of our medical schools, including the Northern Ontario School of Medicine, and with the investments that we've made in expanding the access for international medical graduates, we have great prospects for graduating and licensing more and more doctors in Ontario.

1110

They're already integrated and they're already working at the community level. In the South East LHIN, working with the LHIN, they've led initiatives around care connection models. In the Champlain LHIN, physicians from communities like Hawkesbury have been engaged with the Champlain LHIN in helping to plot health care strategy.

We have a mechanism that brings them to the fore in terms of integration, but we continue to believe that the relationship and the investment in doctors is an important responsibility at the central levels of the government of Ontario. We'll continue to have those negotiations between the government and the medical association and make sure doctors are integrated—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

## INFECTIOUS DISEASE CONTROL

**Mrs. Elizabeth Witmer:** My question is to the Premier. Premier, it's quite shocking to hear your Minister of Health say a public inquiry would be too costly. It is also an insult to the families of those who have died, and they deserve an answer. I ask you: What is the cost of 260 lives—or maybe 5,000? In 2003, you believed that the loss of 44 lives was worth the cost of a public inquiry into SARS. Will you today support a public inquiry into C. difficile?

**Hon. Dalton McGuinty:** To the Minister of Health.

**Hon. George Smitherman:** The honourable member knows from her time as a Minister of Health that C. difficile has been an ongoing challenge, along with other so-called superbugs, in the hospital environment. This is why it's necessary to take advantage of the information



that we have at hand today, to apply that today. The best thing, it seems to me, that we can do to honour those who have passed is to take advantage of the information that we have immediately.

The honourable member, in her first question today, used the words “immediate public inquiry,” and we all know that those matters take a lot of time. We have the benefit of a coroner’s inquest that’s very current. We’re going to work to implement that information under the leadership of Dr. Michael Baker. We think there’s information at hand that can be put to work today with this enhanced transparency and reporting that will benefit patients today, whereas the proposal that the honourable member makes is about downstream. We have opportunities today to make a difference, and that’s what we’re doing.

**Mrs. Elizabeth Witmer:** The reality is, this minister hasn’t made a difference. He has sat on information, he has taken no action and now he’s in full damage control. There’s no reason why the actions that are being undertaken and proposed couldn’t happen simultaneously with an inquiry; none whatsoever. Some 260 deaths already—maybe 5,000; we don’t know because he won’t tell us. But I would say to you today, you deserve to provide an answer. In 2003, you demanded a public inquiry. Your seatmate demanded a public inquiry into the 44 deaths. Your leader introduced an opposition day motion saying, “Let’s have an inquiry on how best to prevent and respond to such an outbreak in the future.” The reality is, the extent of C. difficile has never been what it is today. Are you going to give us the inquiry that the families deserve?

**Hon. George Smitherman:** First off, I want to say to the honourable member that the valuable information gained from the inquiry into SARS is information that’s being implemented in the province’s health care system today. The honourable member needs to be reminded that public health funding has doubled since 2003, in response to the circumstances related to SARS. SARS was an event that was managed to an end. At the conclusion of its end point, it was substantially investigated, and that work is being put to the benefit of patients every single day.

In the case of C. difficile, it’s well known, it’s been broadcast across all of the western world and hospitals are grappling with it every single day. We have the opportunity today to put in place a regime of public reporting which will today strengthen the circumstances for Ontario’s patients. I choose, with the information that’s available, to act today on behalf of those patients. There are lessons to be learned. We have current evidence around what we can do to make improvements, and we’re moving forward on that basis.

### SCHOOL CLOSURES

**Mr. Rosario Marchese:** My question is to the Minister of Education. This question is about the 50 schools, including the five in Oshawa, that were announced

yesterday that are about to close and the 300 more schools across the province that are on the chopping block. And before the minister gives me the reasons why, I’ll make it easier for her. We all know that there are 90,000 fewer students in Ontario schools since 2002.

Here’s what the minister doesn’t know: Parents don’t like their children’s schools closing, and, by the way, it doesn’t make it any better when Liberals close them. When are you going to do what you were elected to do—keep more schools open—instead of hiding behind declining enrolment as an excuse to let the devastation go on?

**Hon. Kathleen O. Wynne:** I appreciate the question. It’s interesting to me that—and I misspoke yesterday. I said yesterday that when the Conservatives were in office, 100,000 more students were in the system. Actually, it was when the NDP were in office that there were 100,000 more students, and there were still hundreds of schools across the province that closed when enrolment was increasing. Okay?

We’re in a situation now where we have declining enrolment, and the member opposite says that we are hiding behind declining enrolment. In fact, the reality is that when there are fewer students in schools in the province—and that has happened across this province since 2003; 90,000 fewer students—boards struggle to deliver the programs that those students need. Boards need the ability to make decisions based on program delivery for their students. That’s what they’re doing.

**Mr. Rosario Marchese:** I think it’s also important for you to remind the public that you cut the declining enrolment grant by \$60 million last year. Why is it that People for Education is looking for ways to keep schools alive and the minister is giving you reasons why they must close?

Here are some good reasons to keep schools open: because you can remake schools into thriving hubs for parenting centres or libraries or health clinics; because other jurisdictions like Manitoba, Saskatchewan and Quebec are coming up with ways to keep schools open, not closed; and more importantly, because parents in places like Oshawa expected you to keep their schools open and their children will not forgive you for closing them.

Minister, do you feel like going back to excuses and delays or will you tell me what you will do today, not in 2010, to keep more Ontario schools open?

**Hon. Kathleen O. Wynne:** I just want to point out to the member opposite that since we’ve been in office, we have put \$465 million to buffer school boards against declining enrolment, \$465 million to allow boards to continue to pay the residual costs, because we know that as enrolment declines, the boards still have residual costs.

The fact is that even under the NDP, when there were 100,000 more students, there were 150 schools that had to close because boards made decisions based on program delivery to students. It would be irresponsible of us to tie the hands of boards.



What we are doing is putting in place a declining enrolment work group. I was at the People for Education event on the weekend. We talked about their report that has come out. I am absolutely supportive of the work that People for Education does. We know that our declining enrolment work group is going to need to look at issues like how we have collaboration among boards, how we have collaboration—

**The Speaker (Hon. Steve Peters):** Thank you.

### INFECTIOUS DISEASE CONTROL

**Mr. Kevin Daniel Flynn:** I've got a question today for the Minister of Health and Long-Term Care. It's regarding *C. difficile* as well. I've heard from some of my constituents in Oakville regarding the recent media reports about *C. difficile* in Oakville and the outbreak at Joseph Brant hospital. They're very concerned, as I am, about reports that *C. difficile* may be prevalent in hospitals across the province.

You've already said that there's no need for a public inquiry because there have already been investigations into outbreaks at Joseph Brant hospital and the Sault Area Hospital. My constituents would like to know exactly what the minister is doing to track infection control rates in our hospitals across the province.

**Hon. George Smitherman:** As I had a chance to say in part earlier in question period, we're moving forward with public reporting which will substantially enhance the awareness that the people of Ontario have about patient safety indications in their hospital environments.

Starting on September 30, public reporting on *C. difficile*, by December 31, 2008, will add to that MRSA and VRE—also known infectious elements in our hospital environments—as well as the second reporting of the hospital standardized mortality rate that came out a few months ago.

By April 30 of next year, rates of ventilator-assisted pneumonia, central line infections, surgical line infections and hand hygiene compliance amongst health care workers will be added to this model of public reporting. This transparency will dramatically enhance accountability and the power that the people of Ontario have over their organizations, based on the information that will be publicly reported.

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**Mr. Kevin Daniel Flynn:** I know there are a lot of people who have been calling for the mandatory reporting of *C. difficile* as well as a number of other indicators, so it's a very important step in improving patient safety in Ontario. That information will obviously be helpful to our hospitals and the patients in those hospitals.

I also know it's important to be able to measure those infection rates so we can identify the hospitals that may be experiencing particular challenges and assist those particular hospitals to reduce their rates.

My supplementary is, I'd like to know how the minister is going to reduce the spread of infectious

diseases in our hospitals and make sure that our patients are even more safe in Ontario hospitals.

**Hon. George Smitherman:** Obviously, a substantial obligation rests with the more than 100,000 people who work in hospital environments. Over the course of the last several years, we've added substantially to the capacities that they have. We've brought 137 infectious control practitioners into hospital environments. We've initiated the Just Clean Your Hands program, formed the provincial infectious disease advisory committee, created 14 infection control networks and, as I mentioned before, we've more than doubled our public health funding.

We think that the progress that we make will also be augmented by the leadership of Dr. Michael Baker. He's the physician-in-chief and noted patient safety expert from the University Health Network. We're going to make him the executive lead for patient safety. He'll be helping to promote these efforts all across the hospital environment and alongside the public reporting. We feel confident that the patients in Ontario will gain a powerful new ally in making our health care environment safer.

### POLYGAMY

**Ms. Lisa MacLeod:** To the minister responsible for women's issues: Can she inform this House where she stands on Toronto's dirty little secret, the illegal polygamous marriages that are taking place right under her nose at the expense of gender equality in Ontario?

**Hon. Deborah Matthews:** To the Minister of Government and Consumer Services.

**Ms. Lisa MacLeod:** On a point of order, Mr. Speaker: Under section 37(e), I don't think that this qualifies as a responsible referral—

**The Speaker (Hon. Steve Peters):** It's not a point of order. The minister has the ability to refer.

**Hon. Ted McMeekin:** Polygamy is a serious crime in Ontario. It's not something that's tolerated. As you know, the best advice I can give the honourable member opposite is that if she has any evidence that someone is engaging in multiple marriages, she should report it, because our Registrar General and our official reporting mechanisms have no evidence that that's happening.

As you know, marriage is a contract. A contract requires a licence. Once a marriage occurs, it has to be registered. There are no multiple marriages being registered in the province of Ontario.

**Ms. Lisa MacLeod:** Back to the minister responsible for women's issues. I don't buy for one minute that the government doesn't read the Toronto Star or listen to AM640, where imams have openly admitted to officiating polygamous marriages in Ontario.

To the minister of women's issues: If you agree that women in this province are equal citizens under the law, why are you allowing polygamy to occur under your watch? Have you brought your concerns to the Minister of Government Services, to the Attorney General and to the Human Rights Commission to uphold the rule of law



and gender equality in Ontario? If so, will you table the documents? If not, why have you done nothing?

**Hon. Ted McMeekin:** We've already answered that question.

### DOMESTIC VIOLENCE

**Ms. Andrea Horwath:** My question is for the Premier. Why is his government putting the interests of a child murderer ahead of the interests of the child he killed by refusing to order a coroner's stand-alone inquest for Jared Osidacz, the 8-year-old boy who was killed by his father? We want an inquest and we want to know why the Premier won't order one that isn't attached to the inquest of his murderous father and that will automatically grant standing to his family.

**Hon. Dalton McGuinty:** To the Minister of Community Safety and Correctional Services.

**Hon. Rick Bartolucci:** Thank you very much for the question. I know that Jared's mother and grandfather are in the gallery this morning. I want to reassure them that there isn't a member on either side of this House who doesn't want the family to have the answers they've longed for. The chief coroner of the province of Ontario have decided that they can receive their answers with one coroner's inquest. I look forward, we look forward, everyone looks forward to that mother and grandfather receiving answers to the questions they've had in their hearts for such a long time.

**Ms. Andrea Horwath:** All the sympathy in the world is not going to satisfy this family until they get a stand-alone inquest into that child's death. The government can do something about this, and they should do something about this. The minister can use his powers under section 22 of the Coroners Act, or he can embrace the bill that I introduced yesterday, Bill 81, which guarantees a stand-alone inquest into Jared's murder and into the death of any child killed by a parent where child welfare authorities are involved. Which is it going to be? Or will the McGuinty government just continue to deny justice for Jared?

**Hon. Rick Bartolucci:** I'm going to, hopefully, answer the question from the member opposite, but I'm not going to engage in political rhetoric. I am going to firmly reassure that mother and grandfather that once they're granted standing, they will be able to hire the lawyer of their choice. The government will help with the funding for the hiring of that lawyer. That lawyer will be able to ask the questions the family has. That lawyer will have the latitude to represent that family's interests 100% of the way. I don't think that's glossing over. I don't think that's clouding the issue. I think we're addressing the issue so that this mother and grandfather get the answers they want.

### HUMAN RIGHTS

**Mr. Khalil Ramal:** My question is to the Attorney General. Ontario is one of the most diverse and multi-

cultural centres in the world. Ontario should be proud of our collective heritage and the example we continue to set for many places around the world and, indeed, in Canada. However, I know that communities across Ontario, like mine, must also deal with the negative effects of hate crimes, racial intolerance and discrimination. I also know that my constituents are keen to know that this government is taking a strong stand against these acts of intolerance which demean our dignity and the dignity of individuals in our society. Attorney General, can you tell me what you're doing to eliminate those issues and deal with them in order to continue peace and tranquility in our communities across the province of Ontario?

**Hon. Christopher Bentley:** Our government's approach—I know the member from London—Fanshawe's approach and I expect the approach of all members of the House—is that we build a society based on respect and understanding. We reject hate. We reject hate crimes. We reject them in whatever form they take. Whether it's Islamophobia, anti-Semitism or any other, we reject intolerance.

One of the ways we have historically done that is through our human rights system. Our government is moving to support the human rights system through the human rights transformation, which will ensure the timely resolution of complaints, beneficial to all, ensure proactive work through the new Human Rights Commission, timely resolution through the newly enhanced and supported Human Rights Tribunal with a legal support centre that will ensure people get access to legal advice when they might not otherwise be able to afford it. I'm looking forward to that transformation on June 30.

**Mr. Khalil Ramal:** I know my constituents are reassured to hear that this government has no tolerance for hate crimes, racial intolerance and discrimination. I know that since taking office in 2003 the McGuinty government has moved forward in a number of different areas to combat hate crimes, promote equality, and deal with many different issues and different people who raise hate crimes in our communities. Minister, can you tell this House—because our communities, especially mine of London—Fanshawe, want to know—what different initiatives you've taken since taking office in order to deal with this issue?

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**Hon. Christopher Bentley:** There is a lot of work going on, not only in our ministry, but in many. I'd like to highlight two. Through the Ministry of the Attorney General, we have a \$1.3-billion investment in community-building projects, which get at the root causes of hate crimes and intolerance. There are 23 projects all across the province. The choice of the projects was fed by the advice of a working group that was established by my predecessor, Minister Bryant, to bring very good ground-level advice on what types of projects would be extremely good in dealing with those root causes of hate.

Another project that was launched recently by my colleague the Minister of Community Safety and



Correctional Services and jointly funded by our two ministries was a \$1.4-million investment in programs, the Ontario victim safety project and the safer and vital communities grant program, which again supports community-building projects so we can build that safer, respectful, more understanding society in the future.

### SCHOOL CLOSURES

**Mrs. Joyce Savoline:** My question is to the Minister of Education. I would like to start by sharing a quote with the minister today: "I don't have that list. The fact is that school boards make those determinations board by board, community by community."

The true fact is, Minister, that five minutes after question period yesterday, this report miraculously appeared. So either the members opposite have divine intervention on their side, or they were simply not making that list public. The question—

**Ms. Lisa MacLeod:** They lied.

**The Speaker (Hon. Steve Peters):** The member from Nepean—Carleton will withdraw the comment.

**Ms. Lisa MacLeod:** Withdrawn.

*Interjections.*

**The Speaker (Hon. Steve Peters):** The member from—

**Ms. Lisa MacLeod:** I withdraw.

**The Speaker (Hon. Steve Peters):** Thank you.

**Mrs. Joyce Savoline:** My question to the minister: Now that you have found this list, what are you going to do to make sure that this list doesn't grow any longer?

**Hon. Kathleen O. Wynne:** What we have is a media scam. There is no official list of schools that are up for review for closure. It is a media scam that is used for issues management. The fact is—and I made this point yesterday—if the member opposite understood how education worked in the province, she would understand that, board by board, decisions are made on school closures, school reviews. That's how the information is disseminated, board by board.

Also, if the member opposite really had the interests of parents and communities at heart, what she would be doing is facilitating the dialogue between her constituents and the boards so they would understand the processes that each board is undergoing.

**Mrs. Joyce Savoline:** That was yesterday's answer and it doesn't cut it today. Minister, you announced \$550 million to prevent rural school closures one minute and then you stand in this House and pass it off as a board responsibility. Every time we ask you when the money is coming to save our schools, you say it's a board responsibility.

They don't have that money that you promised. The parents of the students who are going to be spending hours on a school bus every day are not going to forget that you and your government wooed them with that promise of saving their rural schools and then abandoned them when it came time to take action. Minister, when are you going to keep your promise and deliver on the

funding necessary to keep your secret—and not-so-secret now—list from expanding?

**Hon. Kathleen O. Wynne:** We made a commitment in our recent budget for \$315 million more in education and another \$750 million in capital spending over the next four years. The money that the member opposite is talking about, part of the \$3.1 billion that we committed to spend in this term of government—that money has begun to already flow to our boards. Boards are making their decisions on their capital plans based on those resources that are going into the system.

It is irresponsible for the member opposite to suggest to parents and to communities in this province that the commitment to funding schools is not being kept by this government. We are absolutely committed. We have started flowing that money—as I say, \$315 million in our recent budget. It is the role of boards to make the decisions around their capital plans and their reviews of schools on a board-by-board basis. That's why we have school boards.

### PENSION PLANS

**Mr. Paul Miller:** My question is to the finance minister. Many Ontarians are worried about their pensions and whether they will be able to enjoy a financially secure retirement. They're worried because Ontario's pension protection legislation is badly out of date and full of holes. In fact, the coverage provided by the Ontario pension guarantee fund hasn't been updated since 1980 and now covers only a small part of the typical monthly pension benefit.

Minister, will you act immediately to significantly increase the monthly pension benefit protected by the pension guarantee fund? Yes or no?

**Hon. Dwight Duncan:** The member forgets that the NDP government failed to fund the pension benefit guarantee fund. The first time that chicken came home to roost was with Stelco, and what government helped Stelco with its pension? The McGuinty government helped Stelco with its pension.

I would say to the honourable member that pension legislation is extremely important to the future of this province. That's why we've asked Mr. Harry Arthurs to review the legislation. We're consulting with unions and management and we are working towards a fall presentation of his recommendations that will aid and assist us as we move forward in protecting the pension and benefits of all of our working people in this province. I would invite the honourable member, when that comes out, to participate in what will no doubt be a very rigorous discussion about the best way forward for Ontario in the future.

**Mr. Paul Miller:** I'd like to thank the minister for his comments; however, we've had three meetings with Mr. Arthurs already, and there are some interesting things coming ahead. In fact, the mention of Stelco—that was an interesting comment by the minister. Actually, it was



under the Conservatives in 1996 that Stelco's pension responsibilities started having problems, unfortunately.

Minister, the people of Ontario expect their government to be at the table, fighting for them, not making excuses by passing the buck and breaking promises. They are watching your government very closely on the security of their pensions. My Bill 17, which was ignored again, like Bill 6, raised the monthly pension benefit guarantee to \$2,700 from the current \$1,000.

Will you send a clear signal, Minister, that you're going to take action to protect pensions? Will you support this legislation when it comes to this place for debate?

**Hon. Dwight Duncan:** What I can say is that this government is committed to protecting the pensions of Ontarians. We have demonstrated it time and time again. There are many difficult issues that demand a very thorough—and, yes, the member is absolutely right. There are going to be some challenges moving forward as we respond to Mr. Arthurs' report.

That being said, unlike previous governments, we will move forward. We are doing so in what I would call a prudent and balanced fashion to look at the complexities of this legislation, recognizing that our constituents expect us to have legislation that protects their investment and the investments of their employers to ensure that they have a very healthy pension benefit into their retirement.

#### ONTARIO MUNICIPAL BOARD

**Mr. David Zimmer:** My question is for the Minister of Municipal Affairs and Housing. Minister, my constituents in Willowdale feel that the Ontario Municipal Board is not working. They've heard talk about reform of the OMB, but the reality is that gridlock is getting worse, new condo owners can't get their kids into the schools next door, and they see unobstructed condo and commercial development left, right and centre.

And the situation is only getting worse. Recently, city councillors in North York voted in favour of providing a formal warning to condo purchasers in the Yonge and Sheppard Avenue area, where the rapidly increasing development has turned traffic into a nightmare.

Minister, what have you done to reform the Ontario Municipal Board?

**Hon. Jim Watson:** I thank the honourable member from Willowdale for his advocacy on behalf of his constituents. Let me just give a couple of examples of some of the issues that our government has dealt with, with respect to reforming the OMB.

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First of all, we've established the citizen liaison office to guide citizens through the OMB process, which at times can be difficult.

Second, the list of matters of provincial interest has now expanded to include the promotion of development that is designed to be sustainable, to support public transit and be oriented to pedestrians.

Third, all approval authorities that make decisions relating to planning matters, including the OMB, must have regard to decisions made by municipal councils and approval authorities relating to the same planning matters.

Finally, this government doubled the timelines that municipalities have to render a decision before a case can be referred to the OMB.

It's the most comprehensive reform of the OMB in 110 years to bring back balance to the OMB. We're proud of it. Yes, we have more work to do, and we're open to suggestions.

**Mr. David Zimmer:** I'm pleased to hear about these reforms. I know that municipalities have struggled in the past with the timelines they've had in which to make a decision before a case was referred to the OMB. However, municipalities want more than a more efficient and accessible OMB. They want the ability to make their own decisions. None of these reforms have addressed the fact that municipal planning decisions are still subject to an appeal to the OMB.

Local communities like Willowdale and others need to have a role. Elected members of council from Willowdale and across other GTA ridings deserve a larger say in the matters that go before the OMB. Will the minister reassure my constituents in Willowdale, who are concerned about overdevelopment and who must go to the OMB to resolve these concerns, that the OMB will take their concerns under serious advisement?

**Hon. Jim Watson:** One of the things the McGuinty government has brought to the table, when it comes to dealing with municipalities, is that we do treat them with the degree of respect they deserve. They're a responsible, accountable order of government.

One of the things we try to do when we make any changes to the OMB or to an organization that is going to affect the municipal sector—we have signed an MOU with AMO and now we have an MOU with the city of Toronto that requires us, as a government, to ensure that we consult those municipalities before any changes come into effect.

One of the things we did, under the OMB reforms, was that we allowed municipalities to establish local appeal bodies, or LABs. If a municipality chooses to establish a LAB, they'll be able to hear and come to decisions on over 54% of the cases now being sent to the OMB. This is run by the community, in the community and for the community.

#### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Norman W. Sterling:** My question is for the Minister of Community and Social Services. There are approximately 100 remaining residents at Rideau Regional Centre in Smiths Falls. Almost all of these severely disabled people will be occupying long-term-care beds in the city of Ottawa. Is it true that you are evicting these residents from their homes of, in many

cases, 40 years and labelling them homeless in order for them to jump the long queue of hundreds of people waiting for long-term care in the city of Ottawa?

**Hon. Madeleine Meilleur:** It's very unfortunate that comments like this come from the member of the Tory party. It's very unfortunate. Yes, we are closing these institutions. When that government was in power, they also supported closures.

These people are treated with respect, and the decisions are taken with the individual at the centre, not with the MPP who used to represent that sector and did not want to close an institution because it would take away jobs in his riding—not because of that. It's about the people. We have people in the centre working with staff, who are helping them place these individuals in the right place, closer to the family. The family is involved and the service—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Norman W. Sterling:** You are declaring them homeless, and you are putting them to the top of the list by doing that.

On Monday, during debate on your bill, you said that former residents of Rideau Regional were guaranteed as good or better treatment than they received at Rideau Regional. Madam Minister, you're putting many of these former residents in long-term care because they are severely disabled and that's the only place to go. At the present time, at Rideau Regional, there are three staff taking care of 12 residents. In the long-term-care facilities, there are three staff for every 32 residents. That's a decrease of 60% staffing to take care of these vulnerable, severely disabled adults. Madam Minister, how can you guarantee equal caring for these individuals with 60%—

**The Speaker (Hon. Steve Peters):** Thank you. Minister of Community and Social Services.

**Hon. Madeleine Meilleur:** First of all, let me say that it's incorrect to say that these individuals are placed in long-term care. It is incorrect. These individuals are placed close to their families in—

**Hon. Jim Watson:** In the community.

**Hon. Madeleine Meilleur:** —in the community, yes, in a group home. It's unfortunate because this member, even though he supported it when they were in power, has tried to scare the families and say that we are not looking after their interests. The person is at the centre, and we have these people working with them. Two weeks ago, I had a meeting with these officials who are helping to move these people into the community. They were telling me that that's the best job they ever had because they see these individuals before and they see them after—

**The Speaker (Hon. Steve Peters):** Thank you.

## CLIMATE CHANGE

**Mr. Peter Tabuns:** A question to the Premier: Premier, in March you appointed Hugh MacLeod to be head of your Climate Change Secretariat. He was going

to be reporting to you every five weeks. It has been 10 weeks. Has he reported, and will you table his report?

**Hon. Dalton McGuinty:** To the Minister of the Environment.

**Hon. John Gerretsen:** I know that the secretariat is set up, which I think is a great idea, and I'm sure the member will agree with that. The secretariat is there to coordinate all the various activities that the government is involved in. As he well knows, there are at least seven or eight ministries that are directly involved in the climate change program. There have been meetings on an ongoing basis with the secretariat. He's getting up and running, and we look forward to his report in the near future.

**Mr. Peter Tabuns:** In the newspaper articles, unless you were misquoted, unless your government was misquoted, the secretariat reports directly to you, Premier. Has he reported to you and will you make his report public?

**Hon. John Gerretsen:** There is an ongoing relationship between the Climate Change Secretariat, which is housed right within the Premier's office, on an ongoing basis. Yes, there are discussions going on, in the same way that there are discussions going on with each and every ministry, from environment to energy to transportation to natural resources to agriculture and food. He reports on the activities that we collectively do as a government to deal with the climate change situation here in Ontario, which I'm sure he would agree is extremely important for not only this government but also the federal government to start dealing with on an ongoing basis.

## VISITOR

**The Speaker (Hon. Steve Peters):** I'd like to take this opportunity to welcome, in the east members' gallery, the honourable Ed Lumley, former mayor of the city of Cornwall and former minister in the Trudeau cabinet. Mr. Lumley, welcome to Queen's Park today.

## PETITIONS

### ALMA COLLEGE

**Mr. Ernie Hardeman:** I have a petition here presented to me by a number of people from the great riding of Elgin–Middlesex–London, and I want to present it. It's concerning Alma College.

“To the Legislative Assembly of Ontario:

“Whereas historic Alma College, designed in the High Victorian Gothic style, chartered by an act of Ontario passed March 2, 1877, opened in October 1881, located in the city of St. Thomas, county of Elgin, province of Ontario, has fallen into a dire state of disrepair; and

“Whereas Alma College continues to be threatened with demolition by its current owners despite the efforts



of many concerned citizens, alumni and various officials; and

"Whereas an historical plaque commemorating Alma College was unveiled at the college on Thursday, October 28, 1976, by the Ontario Heritage Trust, an agency within the Ministry of Culture and Recreation; and

"Whereas the city of St. Thomas designated Alma College under part IV of the Ontario Heritage Act (bylaw 167-94), in 1994; and

"Whereas recent amendments (2005) to the Ontario Heritage Act allow the Minister of Culture to designate property as being provincially significant;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The Minister of Culture immediately designate Alma College as a building of provincial significance and, in the event of a demolition order being issued for Alma, to immediately intervene by issue of a stop order, and to further identify provincial partnerships and possible funding to protect the existing buildings from further deterioration while financial resources are generated to restore the property to its former glory."

I thank you very much for the honour of presenting this petition.

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#### FIREARMS CONTROL

**Mr. Tony Ruprecht:** This petition is a repetition from yesterday, actually, because we're getting many more signatures supporting Bill 56. The petition reads as follows:

"Whereas innocent people are being victimized by the growing number of unlawful firearms in our communities; and

"Whereas police officers, military personnel and lawfully licensed persons are the only people allowed to possess firearms; and

"Whereas a growing number of unlawful firearms are transported, smuggled and found in motor vehicles; and

"Whereas impounding motor vehicles and suspending driver's licences of persons possessing unlawful firearms in motor vehicles would aid the police in their efforts to make our streets safer;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 56, entitled the Unlawful Firearms in Vehicles Act, 2008, into law, so that we can reduce the number of crimes involving firearms in our communities."

I agree with this petition and I'm delighted to sign this document.

#### ALMA COLLEGE

**Mr. Robert Bailey:** I have a petition from residents of Elgin-Middlesex-London.

"Whereas historic Alma College, designed in the High Victorian Gothic style, chartered by an act of Ontario

passed March 2, 1877, opened in October 1881, located in the city of St. Thomas, county of Elgin, province of Ontario, has fallen into a dire state of disrepair; and

"Whereas Alma College continues to be threatened with demolition by its current owners despite the efforts of many concerned citizens, alumni and various officials; and

"Whereas a historical plaque commemorating Alma College was unveiled at the college on Thursday, October 28, 1976, by the Ontario Heritage Trust, an agency within the Ministry of Culture and Recreation; and

"Whereas the city of St. Thomas designated Alma College under part IV of the Ontario Heritage Act (bylaw 167-94), in 1994; and

"Whereas recent amendments (2005) to the Ontario Heritage Act allow the Minister of Culture to designate property as being provincially significant;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The Minister of Culture immediately designate Alma College as a building of provincial significance and, in the event of a demolition order being issued for Alma, to immediately intervene by issue of a stop order, and to further identify provincial partnerships and possible funding to protect the existing buildings from further deterioration while financial resources are generated to restore the property to its former glory."

I agree with this petition and I affix my signature to it.

#### HOSPITAL FUNDING

**Mr. Bob Delaney:** I have a petition to the Ontario Legislative Assembly sent to me by Dr. Tom Short. I also want to thank Nancy Zero of Terragar Boulevard in Mississauga for being among the signatories. It reads as follows:

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I am pleased to sign and support this petition and to ask page Christopher to carry it for me.

#### LORD'S PRAYER

**Mr. John O'Toole:** I am pleased to read a petition on behalf of the residents of the riding of Durham, presented to me at the Clarington Older Adult Association recent meeting. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its" rightful "place at the beginning of daily proceedings in the Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message of forgiveness and the avoidance of evil is universal to the human condition: It is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I am pleased to present that to one of the new pages, Natalie, and to support it.

#### HOSPITAL FUNDING

**Mr. Joe Dickson:** "To the Legislative Assembly of Ontario:

"Whereas the Central East Local Health Integration Network (CE-LHIN) board of directors has approved the Rouge Valley Health System's deficit elimination plan, subject to public meetings; and

"Whereas, despite the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a project that could reach \$100 million, of which 90% is funded by the Ontario government, this plan now calls for the ill-advised transfer of 20 mental health unit beds from Ajax-Pickering hospital to the Centenary health centre in Scarborough; and

"Whereas one of the factors for the successful treatment of patients in the mental health unit is support from family and friends, and the distance to Centenary health centre would negatively impact on the quality care for residents of Ajax and Pickering; and

"Whereas it is also imperative for Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding;

"We, the undersigned, therefore petition the Legislative Assembly of Ontario as follows:

"That the Rouge Valley Health System continue to provide the current level of service to our Ajax-Pickering hospital, which now serves the fastest-growing communities of west Durham; and

"That the Ajax-Pickering hospital retain the badly needed 20-bed mental health unit."

I will affix my signature to that and pass it to Charles.

#### LORD'S PRAYER

**Mr. Jim Wilson:** I want to thank the residents and staff of Blue Mountain Manor in Stayner for sending this petition to me.

"Petition to the Legislative Assembly of Ontario:

"Whereas Premier Dalton McGuinty has called on the Ontario Legislature to consider removing the Lord's Prayer from its daily proceedings; and

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe; and

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"We, the undersigned, petition the Legislative Assembly of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

I agree with this petition, and I have signed it.

#### POPE JOHN PAUL II

**Mrs. Laura Albanese:** I have a petition from the residents of York South-Weston.

"Whereas the legacy of Pope John Paul II reflects his lifelong commitment to international understanding, peace and the defence of equality and human rights;

"Whereas his legacy has an all-embracing meaning that is particularly relevant to Canada's multi-faith and multicultural traditions;

"Whereas, as one of the great spiritual leaders of contemporary times, Pope John Paul II visited Ontario during his pontificate of more than 25 years and, on his visits, was enthusiastically greeted by Ontario's diverse religious and cultural communities;

"We, the undersigned, respectfully petition the Parliament of Ontario to grant speedy passage into law of the private member's bill," Bill 25, "entitled An Act to proclaim Pope John Paul II Day."

I agree with this petition and affix my signature to it.

#### LORD'S PRAYER

**Ms. Laurie Scott:** "To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its place at the beginning of daily proceedings in the Ontario Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message is one of forgiveness, of providing for those in need of their 'daily



bread' and of preserving us from the evils that we may fall into; it is a valuable guide and lesson for a chamber that is too often an arena for conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

These petitions were delivered to me by June Devolin, from Haliburton, the mother of our MP, and I'm gladly going to pass them over to Murray, our page.

1200

### PROTECTION FOR MINERS

**M<sup>me</sup> France Gélinas:** I have a petition from the people of Sudbury, Mattawa, Elliot Lake, Little Current and Barrie.

"Whereas the current legislation contained in the Ontario health and safety act and regulation for mines and mining plans do not protect the lives of miners, we request revisions to the act;

"Lyle Everett Defoe," a resident of Wahnapiatae, in my riding, "and the scoop tram he was operating fell 150 feet down an open stope (July 23, 2007). Lyle was 25 years and 15 days old when he was killed at Xstrata Kidd Creek mine site, Timmins....

"The stope where Lyle was killed was protected by a length of orange plastic snow fence and a rope with a warning sign. These barriers would not have been visible if the bucket of the scoop tram was raised. Lyle's body was recovered from behind the scoop tram."

They ask the Legislature that:

"Concrete berms must be mandatory to protect all open stopes and raises;

"All miners and contractors working underground must have working communication devices and personal locators;

"All equipment involved in injuries and fatalities must be recovered and examined unless such recovery would endanger the lives of others; and

"The entire act must be reviewed and amended to better protect underground workers."

I support this petition and will affix my name to it and send it with page Jocelyn.

### FIREARMS CONTROL

**Ms. Sophia Aggelonitis:** I have a petition to the Legislative Assembly of Ontario.

"Whereas the growing number of unlawful firearms in motor vehicles is threatening innocent citizens and our police officers;

"Whereas police officers, military personnel and lawfully licensed persons are the only people allowed to possess firearms; and

"Whereas a growing number of unlawful firearms are transported, smuggled and being found in motor vehicles; and

"Whereas impounding motor vehicles and suspending driver's licences of persons possessing unlawful firearms would aid the police in their efforts to make our streets safer;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 56, entitled the Unlawful Firearms in Vehicles Act, 2008, into law, so that we can reduce the number of crimes involving firearms in our communities."

I affix my signature and send it over with page Charles.

### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mrs. Christine Elliott:** A petition to the Legislative Assembly of Ontario:

"Whereas many young people with developmental special needs have no meaningful social, recreational or vocational opportunities after high school; and

"Whereas many of these young people have no real options for living independently in the community; and

"Whereas current supports in place are insufficient to meet the needs of these young people;

"We, the undersigned, petition the Legislative Assembly as follows:

"That the McGuinty government allocate an appropriate level of funding to advance the transformation agenda of individualized funding for adults with developmental special needs in the province of Ontario to allow them to live with dignity and to reach their full potential as members of our communities."

I'm pleased to affix my signature in support of this petition.

### HOSPITAL FUNDING

**Mr. Joe Dickson:** A petition to the Legislative Assembly of Ontario:

"Whereas the Central East Local Health Integration Network board of directors has approved the Rouge Valley Health System's deficit elimination plan, subject to public meetings; and

"Whereas it is important to ensure that the new birthing unit at Centenary hospital, a \$20-million expansion that will see 16 new labour, delivery, recovery and postpartum (LDRP) birthing rooms and an additional 21 postpartum rooms added by October 2008, will not cause any decline in the pediatric services currently provided at the Ajax-Pickering hospital; and

"Whereas, with the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a project that could reach \$100 million, of which 90% is funded by the Ontario government, it is important ... to balance its budget, eliminate its deficit and debt and

realize the benefits of additional Ontario government funding; and

"Whereas the parents of Ajax and Pickering deserve the right to have their children born in their own community, where they have chosen to live and work;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Rouge Valley Health System continue to provide the current level of service; and

"That our Ajax-Pickering hospital now serves the fastest-growing communities of west Durham; and

"That the Ajax-Pickering hospital retain its full maternity unit."

I affix my signature to this, and I will pass it to Alie.

**The Speaker (Hon. Steve Peters):** The time for petitions has expired.

The House stands recessed until 3 p.m.

*The House recessed from 1205 to 1500.*

## MEMBERS' STATEMENTS

### HABITAT FOR HUMANITY

**Mr. Ted Arnott:** Two weeks ago, I had the opportunity to attend the Ontario Prayer Breakfast, along with John Tory and a number of our PC caucus members. At that breakfast, we heard from the founder of Habitat for Humanity, Millard Fuller, who gave his inspirational message of hope. Habitat for Humanity International has built more than 250,000 homes around the world, providing affordable, decent and safe housing to more than one million people in more than 3,000 communities.

Georgetown, in Wellington-Halton Hills, is one of those communities where Habitat is hard at work, and for three hard-working local families, new Habitat homes will soon mean a considerable improvement to their quality of life.

It was a privilege for me to join Habitat for Humanity Halton at the groundbreaking ceremony on May 9, when officials and volunteers, including the three families themselves, along with the mayor and councillors of the town of Halton Hills, gathered to mark the beginning of the new homes' construction. Habitat for Humanity Halton aims to raise more than \$200,000 cash and at least \$65,000 in materials for each home. They are well on their way to achieving that goal.

A few years ago, when I participated in a Habitat build in St. Jacobs, I witnessed first-hand the power of Millard Fuller's words, and his famous quote: "For a community to be whole and healthy, it must be based on people's love and concern for each other." That's why I'm so pleased to see Habitat working to make Halton Hills a more healthy and whole community, even more so than it is today.

### WEST HIGHLAND BAPTIST CHURCH VICTORY GARDEN

**Ms. Sophia Aggelonitis:** I'm delighted to tell the House about my recent visit to the community gardens at West Highland Baptist Church in my riding of Hamilton Mountain. Last year the church developed a pilot project to help the community by creating a victory garden. In its first year of operation, the victory garden grew 1,300 pounds of produce, which was distributed to local food banks. This project was well received, and this year the church has a goal of producing 5,000 pounds of fresh produce.

During my visit last Thursday, I had the privilege of meeting Mr. Bill Wilcox, the man with the vision for the victory garden. I joined him and many other volunteers who helped make this marvellous project possible. These volunteers oversee every step of the operation from start to finish. In some cases, entire families volunteer their time at the garden, helping with the planting, watering and harvesting, and even hand-delivering the crops to the food bank.

Projects like this are an excellent example of how a few dedicated people can make a huge difference. It fills me with pride to see members of my community donating their time to help those in need on Hamilton Mountain, and I hope their example will lead to the development of similar projects in other ridings.

### POTATO FARMERS

**Mr. Ernie Hardeman:** Last summer, Ontario potato growers experienced the longest drought since records have been kept. Streams and ponds dried up. The potato crop was devastated. The drought affected approximately 30,000 acres of potatoes, and those farmers lost an average of more than \$2,000 an acre.

For these farmers, it was a natural disaster. They didn't cause it, they didn't control it, and they shouldn't have to suffer for it. But when they turned to their government for help asking for ad hoc payment to help them keep farming, they got a lot of talk but no action.

Ontario's potato farmers need help. Existing programs aren't enough to help them cover these huge losses. They have been struggling to keep up with their mortgages and to find money to plant this year's crop. The companies that depend on quality Ontario potatoes are also at risk. The potato board began discussions with the Ministry of Agriculture and AgriCorp in August, nine long months ago, but so far there has been no support for the potato farmers.

Dave MacKenzie and the potato board have done the right things. They're working with their local MPP Jim Wilson. They tried to work with the ministry. They put forward fair proposals. They sent letters to the minister and the Premier, asking for help. The McGuinty government has done absolutely nothing.

These farmers have been more patient. They have been struggling to make ends meet while they waited for



the government, but now the situation is urgent. It is spring, planting time, and Ontario's potato farmers need help, otherwise they're going to become the latest people that the McGuinty government has forced out of farming.

### WINONA PUBLIC SCHOOL

**Mr. Paul Miller:** Overcrowding, mould, poor heating, poor cooling, leaks in the roof, crumbling floors and ceiling tiles, injuries, dangerous parking, sidewalks, paths, seas of portables, too few washrooms—this is the sad reality of Winona Public School, an elementary school in my riding.

The students, parents and community members of Winona need a new public school now. Because of powerful community activism and the efforts of the school's parent council, the Hamilton-Wentworth District School Board has committed in its 2008 capital plan to build a new Winona Public School. This, however, is subject to the approval of the Ministry of Education.

In June, the Hamilton-Wentworth District School Board will submit a business case to the ministry calling for a new public school in the Winona area to alleviate the current accommodation and facility pressures. In keeping with the promise to uphold the Ontario safe schools strategy, I expect that the Minister of Education will personally ensure that the approval and funding are granted expeditiously to address this urgent need so that the construction of the Winona Public School can commence immediately.

I look forward to the delivery of good news to the Winona community in my riding and encourage that this decision be made before the school year ends.

### CITY OF CORNWALL

**Mr. Jim Brownell:** Last year, Ottawa Citizen reporter Kelly Egan wrote an article about the city of Cornwall, located in my riding of Stormont-Dundas-South Glengarry, where he referred to Cornwall as "unkillable" and "a cool place" and said that there is something "so Canadian" about the city.

He is right. The story of Cornwall, and my entire riding, is steeped in the history of our country. Indeed, Ontario's first Premier, John Sandfield Macdonald, was born in my riding at St. Raphael's, practised law in Cornwall, and is buried just north of the city at St. Andrew's West.

As Ontario becomes an increasingly multicultural place, this is reflected in the rich ethnic diversity to be found in my riding.

As our economy shifts from traditional manufacturing to a new era of development, Cornwall is once again at the forefront. Just recently, Verdant Power, a company specializing in the creation of renewable energy from the current of a river, announced that they would develop a power project on the St. Lawrence River at Cornwall. This and other companies are capitalizing on our affordable property rates, access to major markets,

bilingual workforce and the "can do" spirit of the community.

Cornwall and area is emerging as the best place to establish industries that focus on new and emerging technologies, and I am proud to continue working with local leaders, those leaders we have in the gallery here today, and businesses as we continue our local economic renaissance.

### ELECTRICITY TRANSMISSION

**Mr. Toby Barrett:** CBC reports that a coalition of native groups is proposing to own a 49% share in new electricity transmission lines from Sudbury to Barrie. It has been suggested that share ownership would lessen the possibility of vandalism.

We saw vandals damage the power towers in Caledonia two years ago. The Niagara-to-Caledonia power lines have been sitting unfinished for the past two years.

Is this government now going to hand over shares of public assets to prevent vandalism? Is this bowing to extortion?

The Premier said this morning, "I can say I like the notion of finding more ways to put more of these central revenues into the hands of our aboriginal communities, and if there's some possibilities there, we'll look at them."

We see what happened in Brantford because the people of Brantford refused to do business with the HDI extortionists, but this government has refused to protect the people in Brantford from these extortionists, those in HDI asking for money to make the protests go away.

I have questions, Speaker. Are the public, our electricity ratepayers, going to have a say in whether their transmission assets are going to be handed over? Will people in Ontario, electricity users, want to be part of any potential for extortion?

### HOSPICE NORTHUMBERLAND LAKESHORE

**Mr. Lou Rinaldi:** It's with great pleasure that I rise today to speak about Hospice Northumberland Lakeshore.

I had the pleasure last Saturday to host seven mayors and councillors from my riding and their assistants at the ninth annual Hospice Cup Challenge. This annual challenge features a race of sorts, with the winner taking home the Hospice Cup. This year, I was blindfolded while attempting a three-legged race with my EA. We didn't win the race. The hospice was the big winner at the end of the night. We raised almost \$12,000 that night, which totals almost \$70,000 over the past eight years in pledges raised by the local mayors and MPPs.

1510

Please join me in thanking the mayors and their assistants, and especially the volunteers of Hospice Northumberland Lakeshore. These tireless volunteers give their time, efforts and talents to make our com-

munities such a wonderful place to live. Bonnie Walker and Nancy Crapper have been the heart behind the fundraising efforts, and they're officially retiring from their many years of volunteering with the hospice. Please join me in thanking them for their years of dedication and in wishing them well in their retirement.

### WOMEN'S COLLEGE HOSPITAL

**Mr. David Zimmer:** I want to talk about a very important event this month being organized by the Women's College Hospital Foundation here in Toronto. On Thursday, May 29, former British Prime Minister Tony Blair will speak at a gala event to benefit Women's College Hospital Foundation. This is part of the foundation's speaking series, which has fundraised more than \$4 million to support research and care at Women's College Hospital. The evening will be a great opportunity to hear Mr. Blair speak about his political life and his ongoing work as the Middle East envoy for the UN, the European Union, the United States and Russia. Up to 1,500 people are expected to attend and support this very important work of the hospital.

Women's College Hospital is the only hospital in Ontario with a primary focus on women's health. The fundraiser will enable the hospital to continue its leading-edge research and explore new and better ways to provide health care to women and their families throughout every phase of their life.

I urge all members of the House, as well as their constituents, to learn more about this evening with Tony Blair and do, please, support Women's College Hospital.

### ALGOMA UNIVERSITY

**Mr. Michael A. Brown:** This morning, this assembly gave second reading to Bill 80, An Act to establish Algoma University and to dissolve Algoma University College. This bill, when passed, will make Algoma University a free-standing, independent, degree-granting institution. This is a significant and important step for post-secondary education in the north, in Algoma and obviously in Sault Ste. Marie.

Since its inception in 1964, Algoma University has evolved into a proud multidisciplinary institution which is known for its innovation and its partnerships. Its creativity in programming, the excellence of its professors and teaching staff, the support staff, the administration and particularly the vision of its president, Dr. Celia Ross, have helped make this day a reality.

I want to acknowledge the Premier for his commitment to Algoma, Minister Milloy for moving quickly with this bill, the support of the community of Sault Ste. Marie and its mayor, John Rowswell, the support of Algoma District municipalities, and particularly the strong championing of this project by my colleague the MPP for Sault Ste. Marie, David Oraziotti. I want to thank all members of this House on all sides for

expediting the progress of this bill. Congratulations to the chair, Bud Wildman, and to the board of governors.

Bill 80 is an important milestone on a journey to an even more prosperous future for northern Ontario students and the northern economy. We look forward to great things.

### PRIVATE MEMBERS' PUBLIC BUSINESS

**The Speaker (Hon. Steve Peters):** I beg to inform the House that, pursuant to standing order 97(c), changes have been made to the order of precedence on the ballot list for private members' public business, such that Mr. Kwinter assumes ballot item number 68 and Mr. Ramal assumes ballot item number 32, and Mr. Flynn assumes ballot item number 31 and Mr. Brownell assumes ballot item number 76.

### ALMA COLLEGE

**The Speaker (Hon. Steve Peters):** I need to seek the indulgence of the House for a moment. I recognize that I'm probably out of order and I can't rule myself out of order, but I lost a really good friend today, and it was a heritage building. Alma College was a historic school in my community that towered over the city. I could see it from my backyard and from my office every day. Tragically, it burned to the ground at noon this afternoon. I trust that if it was arson, they will find the culprits.

For me, Alma was a special place. First, it was incorporated by this very chamber in its beginning, and it stood as a monument for a long time. I worked at that college 20 years ago when I was a university student. It was a special thing to have a girls' school and being the only guy that could walk through the front gates of that school and not be arrested. I say this because there have been community citizens for over 20 years who have actively tried to find a new use for the building. And in over 20 years, we've had various governments.

I needed to make the statement for myself and to say thank you to the people over the years who worked so hard to preserve this building. I just ask that we remember that. I hope it's a lesson to all of us that our heritage is precious and that we need to collectively do what we can to ensure that we preserve our heritage for future generations. Once these buildings are gone, they're gone. You can't ever bring them back.

If nothing else, I hope that this fire today at Alma College—that all the work everyone has done over the years hasn't been in vain, that we can learn collectively that it's incumbent on all of us to make sure that we stand up and preserve our heritage and find ways of developing new and unique partnerships to make sure that these symbols will remain for generations to come. I thank the members for allowing me this opportunity.

**Mr. Toby Barrett:** On a point of order, Mr. Speaker: My wife was one of those girls who graduated from Alma, and I thank you for your sense of history and for making that statement.



**The Speaker (Hon. Steve Peters):** It's not a point of order, but I will accept it as a point of order today. It was interesting speaking to the member from Parry Sound—Muskoka. Norm Miller's sister attended Alma College as well, and Norm very well remembers visiting the school and acting as a date for his sister for a graduation ceremony.

## INTRODUCTION OF BILLS

### HANDGUN MANUFACTURERS' AND IMPORTERS' LIABILITY ACT, 2008 LOI DE 2008 SUR LA RESPONSABILITÉ DES FABRICANTS ET DES IMPORTATEURS D'ARMES DE POING

Mr. Flynn moved first reading of the following bill:

Bill 82, An Act to make manufacturers and importers liable for harm caused by the unlawful use of handguns / *Projet de loi 82, Loi imputant aux fabricants et aux importateurs la responsabilité de toute atteinte causée par l'utilisation illégale d'armes de poing.*

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** Member for a short statement.

**Mr. Kevin Daniel Flynn:** With the news today in the media of another fatal shooting in Toronto, I'd like to explain that this bill provides that when a person is injured or killed as a result of the actual or threatened unlawful use of a handgun, the person or the personal representative and his or her dependents are entitled to bring an action against the handgun manufacturer or importer. The crown in right of Ontario is also entitled to bring an action against the manufacturer or the importer of handguns to recover the cost of health care benefits caused or contributed to by the actual or threatened unlawful use of handguns.

### SKIN CANCER PREVENTION ACT, 2008 LOI DE 2008 SUR LA PRÉVENTION DU CANCER DE LA PEAU

Mr. Ramal moved first reading of the following bill:

Bill 83, An Act to help prevent skin cancer / *Projet de loi 83, Loi aidant à prévenir le cancer de la peau.*

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** Member for a short statement.

**Mr. Khalil Ramal:** This bill provides for a prohibition on selling or supplying tanning services or ultraviolet light treatment services to a person under the age of 19. The prohibition does not apply to ultraviolet

treatments prescribed by authorized medical professionals for conditions prescribed by the regulations.

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## MOTIONS

### COMMITTEE SITTINGS

**Hon. John Wilkinson:** I seek unanimous consent to move a motion without notice with respect to the Standing Committee on the Legislative Assembly and the Standing Committee on Public Accounts.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Hon. John Wilkinson:** I move that the Standing Committee on the Legislative Assembly be authorized to attend the annual meeting of the National Conference of State Legislatures and that the Standing Committee on Public Accounts be authorized to attend the 29th annual conference of the Canadian Council of Public Accounts Committees.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Agreed to.*

## ORDERS OF THE DAY

### SMOKE-FREE ONTARIO AMENDMENT ACT, 2008

#### LOI DE 2008 MODIFIANT LA LOI FAVORISANT UN ONTARIO SANS FUMÉE

Resuming the debate adjourned on May 27, 2008, on the motion for second reading of Bill 69, An Act to protect children from second-hand tobacco smoke in motor vehicles by amending the Smoke-Free Ontario Act / *Projet de loi 69, Loi modifiant la Loi favorisant un Ontario sans fumée pour protéger les enfants contre le tabagisme passif dans les véhicules automobiles.*

**The Speaker (Hon. Steve Peters):** Further debate?

**Mrs. Liz Sandals:** I will be sharing my time with the Minister of Municipal Affairs and Housing.

I'm very pleased to be able to speak today in support of Bill 69, An Act to protect children from second-hand tobacco smoke in motor vehicles. What we're doing here is amending the Smoke-Free Ontario Act. This bill, if passed, will ban smoking in a motor vehicle when children who are under the age of 16 are in the car. Specifically, any person who is caught smoking in a car with a young child in it could receive a ticket of \$250. The police will have this on the list of offences that they will be responsible for enforcing—and just to emphasize that the legislation applies to children under the age of 16.

We're doing this because the medical science is very clear: Second-hand smoke is dangerous to everyone, but

particularly to children. We know that children who breathe second-hand smoke are more likely to suffer health problems such as sudden infant death syndrome and asthma as young people, and later in life they're more likely to suffer from cancer and cardiac disease. So this is a very important health initiative from the point of view of the child.

We also know that second-hand smoke levels in motor vehicles can be up to 27 times worse than in a smoker's home. Some people have said, "Why are you particularly zeroing in on smoking in cars with kids?" That's why. It's because the level of the intensity of the smoke they are breathing and therefore the number of harmful, poisonous agents that young child is breathing in is much more intense in a car than in a home or some other venue where a child might be and where there are adult smokers there.

We also know that in this climate that we have, while in the summer you might drive around with the windows open if you're smoking in the car, in a Canadian winter, if it's 20 or 30 below out, you keep the windows closed, and that means that the concentration of smoke in that vehicle is very high.

In fact, we know there is a lot of public support for this. The Canadian Cancer Society has been doing some work on this and found in a poll done in January that 82% of Ontario citizens support a ban on smoking in vehicles with children. I think the public understands the health risks involved here and that we need to act on this, and I hope act on it quickly.

When we first came to power in 2003, smoking was permitted in many places. Obviously with the Smoke-Free Ontario Act—and I'm sure my colleague the minister will want to speak about this—we've cut down on the number of places in which smoking is allowed. During that time period, tobacco consumption in Ontario has fallen by 31.8%. That's really important; we're having an impact.

One of the things that we've been doing is targeting some of our programs at young people, people in the high school and university age group. The programs that we've introduced to deal with smoking in that age group include peer leadership programs for teens aged 14 to 17 that engage youth in tobacco control activities within their local communities.

Interestingly enough, this group in my community of Guelph has actually branched out beyond tobacco smoke to express a concern about chewing tobacco, so the group of young people in my area is now focusing on trying to educate their peers about the dangers of chewing tobacco and how that can also have a negative impact on a young person's health.

Of course, a lot of people are aware of stupid.ca, which was developed for youth by youth and has been very successful in making young people aware of the dangers of tobacco in a way that really grabs them.

Our plan is working. The Centre for Addiction and Mental Health did a survey in 2007 and found that 72% of students in grades 7 to 12 reported never smoking a

cigarette in their lifetime. That's wonderful news, and that, in fact, is a 15% increase in the kids who don't smoke since 2003.

However, if we go back to this bill and we're looking at kids, particularly little kids in cars, they can't control that atmosphere. They are subject to the atmosphere that the adult who's smoking in the car is creating for them. I want to emphasize that for kids who are in a car where an adult is smoking, that atmosphere is 27 times as bad as if you simply had an adult smoking at home.

We're going to ban that. I'm very much in support of this legislation, and I will now turn that over to the Minister of Municipal Affairs and Housing, if I may.

**Hon. Jim Watson:** I thank the honourable member for Guelph for sharing some of her time with me. I'm very proud to stand in support of this particular piece of legislation, Bill 69, which is the first amendment to the Smoke-Free Ontario Act, which as the former Minister of Health Promotion I had the responsibility for implementing a little over two years ago.

We implemented it on May 31, which is World No Tobacco Day, because we're particularly proud of the legislation that bans smoking in all public workplaces in the province of Ontario. When we came to office under the leadership of Premier McGuinty, we were very clear in our campaign platform that we would bring in a uniform Smoke-Free Ontario Act, because what was happening? Once again, municipalities were ahead of the curve. Cities all across the province were passing their own municipal bylaws, and what was happening was that you were creating a patchwork approach to this particular important public health issue.

The Premier put it in the platform really for a number of reasons, but one of them was a woman in my hometown of Ottawa named Heather Crowe. Some of you may remember Heather Crowe. She was a wonderful woman who worked in the hospitality industry for over 20 years, didn't smoke a day in her life, yet several years ago contracted lung cancer as a result of exposure to second-hand smoke. She was working in restaurants and eateries and serving people, supporting her daughter as a single mother, trying to make a decent living, and unfortunately, as a result of being in these smoky, blue-haze restaurants, contracted lung cancer. Sadly, about a month before the Smoke-Free Ontario Act came into effect, she passed away.

Many of us on both sides of this House had the pleasure over the last year or so to distribute Heather Crowe Awards, which were the government of Ontario's recognition of Heather, for the work that she did to ensure that this particular piece of legislation saw the light of day. We awarded them to individuals who did wonderful work in their own communities to promote a smoke-free environment, whether it was lobbying municipal councillors or working with the Canadian Cancer Society, the Lung Association or the Heart and Stroke Foundation. I'm very proud of having known Heather. I knew the restaurant she worked at before she



passed away, the Newport Restaurant owned by a great community activist, Moe Atallah, in the city of Ottawa.

1530

This particular piece of legislation is the natural extension to the Smoke-Free Ontario Act because, as my colleague from Guelph indicated, second-hand smoke levels in motor vehicles can be up to 27 times worse than in a smoker's home. Some of you may have heard one of the radio commercials that I believe has been put on by the Heart and Stroke Foundation or the Canadian Cancer Society. It has a mother asking a young child, "What are you doing?" The young child asked for a light. It was trying to get across the image of the real lunacy of a child of seven or eight years old smoking. Yet in a car, perhaps in a child seat, if they're of a certain age, they're actually inhaling all of that second-hand smoke. We don't think that's right. The child can't speak out for themselves, can't defend themselves.

We know that it's the right thing to do. We would hope that this particular piece of legislation would receive unanimous support from the Legislature because when the Smoke-Free Ontario Act came into effect, the New Democrats supported it, our party supported it, but sadly, half the Conservative Party either was absent for the vote or did not support it—actually voted actively against it. My hope is that we're able to get unanimity on this particular piece of legislation because we know that this will save lives and prevent illness.

Some people say governments are hypocritical because they accept all of this tobacco tax revenue, but let's look at the facts just for a moment. The fact of the matter is that smoking not only kills over 13,000 Ontarians every year but also costs the health care system \$1.7 billion. The last figures I saw showed the tobacco tax brought in just a little over \$1 billion in taxes, so it's costing us a lot more to treat people who are ill or dying of second-hand smoke and direct tobacco than it is to get the tobacco tax, so we're no farther ahead.

In conclusion, I want to thank the member from Sault Ste. Marie, our colleague David Oraziotti, because he listened to his community. He listened to stakeholders, to health care workers, to nurses and to doctors, and he brought this idea forward originally, as a private member's bill. I commend my successor, the Honourable Margaret Best, the Minister of Health Promotion, for bringing it forward as a government piece of legislation, and the Premier for his support.

I also want to commend my colleague the member from Ottawa-Orléans because on May 31 of this year the next phase of implementation of the Smoke-Free Ontario Act comes into effect. It's known as the McNeely amendment, which he amended in the legislative committee process; it bans the power walls from all of the different retail operations. We understand that the retail operators have some difficulty with it because they get a lot of money from the tobacco companies. We also understand that it is a much more important public health issue to ensure that when a child goes into a convenience store looking to buy a chocolate bar or a package of gum,

they are not inundated with this huge wall of tobacco. Also, those individuals who are trying to quit, because it's difficult to quit smoking, are not tempted when they see this massive wall. The tobacco industry knows full well that that's the prime location for advertising, and we want to make sure that that particular aspect of advertising is eliminated. I commend the member from Ottawa-Orléans for bringing that forward. In just a few days, on Saturday of this week, that particular aspect of the legislation comes into effect.

I'm very proud of the work we've done to create a smoke-free Ontario. I think Bill 69 is in response to a number of municipalities, including Peterborough, Ottawa, Kenora, Terrace Bay, Toronto, Tecumseh and the region of York, all passing resolutions in support of us. I would hope that the honourable members opposite support this because this is the right thing to do from a public health point of view, and it's the right thing to do to protect the health and well-being of children in our province.

C'est mon plaisir de dire un grand merci à la ministre de la Promotion de la santé pour ce projet de loi. Je pense que c'est bon non seulement pour les enfants mais pour les adultes dans une voiture.

It's not only good for the children; it's also good for the adults and it's good for public health in this province. I urge all members to support Bill 69, because it will save lives.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. John O'Toole:** This question on Bill 69 raises in my mind—it's a no-brainer, as some speakers have said. We could get on to more serious things. So with that liberty, I'm going to read an obituary here that is relevant to this. I'll explain it later. I'll read it word for word:

Tom Edvard Krogh: "Born in Peterborough, Ontario, 1936, passed away April 29, 2008. Professor Emeritus, Dept. of Geology, University of Toronto; retired curator and founding director of the Geochronology Laboratory of the Royal Ontario Museum. Much loved and greatly missed by his wife Kathy Myers and sister Joan Armstrong Bennett. Fondly remembered by his children and their spouses: Erik and Jane, Kari and Dave, Sara and Mark and Jason and Jenn as well as grandchildren Jeremy, Rebecca, Ezra and Alyssa Hong Gee. Tom approached life with a scientific mind, sharing his insights into geology, cooking, organic gardening, energy efficiency and more. Every experience was seen as an opportunity for learning. Always down to earth, Tom was as comfortable in a straw hat on his tractor as he was examining minerals under a microscope. But Tom was perhaps most at home on an outcrop of the Canadian Shield. A graduate of Queen's University M.Sc. and Massachusetts Institute of Technology Ph.D., Tom especially enjoyed his many years of research at the Carnegie Institution of Washington, DC. His work"—this is important—"revolutionized techniques of radiometric uranium-lead rock ... of the history of the Earth's crust.



Tom was the recipient of numerous awards in recognition of" the science of his profession.

He was a person I knew as a young person, who was always looking at rocks. That's a more important theme than talking about Bill 69.

**Mr. Michael Prue:** I don't know what the last comment had to do with the speeches made by the member for Guelph and for the Minister of Municipal Affairs. I would like to comment on what they actually had to say.

It seems to me that, although we 100% approve of this bill and we are going to vote for this bill and send it to committee, the Liberals are indeed protesting too much. They are trying to take credit for an action which is long overdue and which was proposed during the last session of Parliament, only to have the Premier at the time say that he was not going in that direction and to do a 180, an about-face, which I am thankful that he has done. But all the same, it is a complete 180-degree turn for the Premier and the cabinet and how they voted in support of this very resolution when it was before us two years ago.

In terms of the power walls, I hear the Minister of Municipal Affairs trying to take great credit for locking down the power walls. But I remember the debate two years ago, or three years ago, in this very House, when it was suggested that the power walls be taken down right away, that there was no real reason to have those continue in the convenience stores for the two years because of the numbers of children who would go into the stores and potentially could take up smoking in that interim period. It was suggested by the Liberals at that time that there was no real rush. So for them to turn around today and to say, "Here we are doing it"—it's two years too late. I am glad it's two years too late rather than never, and I commend the members for what they had to say, but these are times that are well past. The sooner we get on with this, the better.

**Ms. Leeanna Pendergast:** I'm proud to rise in support of Bill 69, An Act to protect children from second-hand tobacco smoke in motor vehicles. I'm proud to rise in support as an educator as well as a mother of three boys. We have a responsibility to raise our children and to protect them.

I've dedicated my life over the years to education, to keeping our schools safe and to protecting our youth. This is part of that very same commitment. As citizens, by definition we have a responsibility to give back to our communities and to our society. Part of that responsibility is to protect the health and well-being of our children; in this case, to protect them from second-hand smoke in vehicles.

1540

We teach literacy and numeracy in schools, we teach healthy relationships, we teach our youth to make good decisions. But in vehicles, children under 16 are not driving; they are not making that primary decision to smoke. Therefore, it is not within their control to avoid second-hand smoke. They are not the decision-makers.

The medical evidence is clear: Second-hand smoke is dangerous. I'll share with you a quote from Dr. Suzanne

Strasberg, the Ontario Medical Association board chair, who says, "Ontario's doctors welcome the provincial government's decision to ban smoking in cars carrying children to ensure that they are protected from the dangers of second-hand smoke. Protecting the health of Ontario's children is one of our most important jobs." As with seat belt legislation, we owe it to our children to keep them safe and healthy.

One more quote from the Heart and Stroke Foundation: "We applaud the Premier for his commitment to protecting children."

**Mr. Norman W. Sterling:** I will be supporting this bill, as I have supported the whole movement toward a second-hand smoking ban for a long period of time. But I find it very odd that this Liberal Party, which turned down an amendment on the original bill to control smoking in motor vehicles, which I put forward at that time in opposition, is now taking credit for the very same measure some 18 years later. It's taken them 18 years to get on side with me, Norm Sterling.

The truth of the matter with this Liberal government is that they take a poll, they put their finger to the wind and then they come in and bring forward a phony piece of legislation like this. We could pass this in 10 minutes. There's no need to carry on the debate and waste the time of the Legislature on it. Let's talk about the economy. Let's talk about bills brought forward by the NDP, who want to increase Canadian content in our manufacturing sector. Let's talk about real things for the people of Ontario. Let's talk about the regrettable behaviour of this government in putting severely disabled people out of Rideau Regional Centre in Smiths Falls. Let's talk about real issues that mean real things to people. We all agree with this. Let's get on with the real business of the people of Ontario.

**The Deputy Speaker (Mr. Bruce Crozier):** Response?

**Mrs. Liz Sandals:** I'd like to thank the Minister of Municipal Affairs and Housing; the member for Durham, who might have been a little bit off track with, I'm sure, a perfectly wonderful person's obituary; and the members for Beaches—East York, Kitchener—Conestoga and Carleton—Mississippi Mills.

What I think we've heard here today is a tremendous amount of support for this bill banning smoking in cars with kids. I'd just like to tell you what the former president of the Ontario Medical Association, Dr. Janice Willett, said: "Ontario's doctors ... congratulate the McGuinty government for introducing legislation to ban smoking in cars carrying children. The health effects of second-hand smoke in adults and children alike are undeniable. This initiative is an important step forward in protecting our children's health."

What I think I hear today is that we are all in agreement with that, and I hope we will be able to pass this bill quickly.

**The Deputy Speaker (Mr. Bruce Crozier):** This might be an appropriate time for me to remind members that questions and comments are intended to be, and



should be, directed toward the comments that were made by the speaker—or speakers, in this case. We might remember that from time to time.

I also would like to take a moment to introduce guests of the member for Stormont–Dundas–South Glengarry. In the east members' gallery: Mayor Bob Kilger, Lezlie Strasser, Guy Willis, Paul Lefebvre, Jeanette Despatie, Pierre Lefebvre, Mark Boileau, Don Fairweather, Denis Thibault and Caroline Dexter. Welcome to the Ontario Legislature.

Further debate?

**Mr. Peter Shurman:** Since we're all having such a good and raucous time here this afternoon, I thought I would join the debate. But in all seriousness, I rise to address Bill 69, An Act to protect children from second-hand tobacco smoke in motor vehicles by amending the Smoke-Free Ontario Act, of which I've had the opportunity to speak many times of late in this Legislature.

The last time that I rose to refer to Bill 69, I think I didn't please my colleagues on the government side very much—notably, the member from Peterborough. I felt the palpable displeasure of the member from Sault Ste. Marie, who had previously introduced a private member's bill along the lines of Bill 69—the same type of thing: no smoking in cars with children. My own colleague the member from Kitchener–Waterloo has also made that effort, to no avail, in the past. So a number of private members' bills were not passed by the government and are now brought forward as a government bill.

I have to say that I have never criticized the concept, and I want to go on record right now as saying in fact that I would support it, and I rise to do that now. My prior criticism, which I do not recant, was of the McGuinty government for using a bill like this as a smokescreen—no pun intended—to shield it from the big-picture issues. We're talking about the economy; we're talking about health care, education, general fiscal restraint, and of course an economic stimulus package, which we desperately need, right behind it. "So much to do; so little time"—an expression we've all heard so many times. I would divert that a little bit and say, "So much to do in this House and so much time to do it; why don't we get on with it?"

I've been on my feet in this House more than anyone recently, probably—arguably, anyway—on the issue of smoking recently. And yes, this is germane because my concern has been on seeing tobacco products fall into the wrong hands—the hands of children—by allowing the continuation of the blind-eye philosophy of this government to the illicit sale of such products through illicit smoke shacks all over Ontario. I've asked question after question on this subject and I have had the pleasure of being escorted by the Sergeant-at-Arms to the front door. We, the Progressive Conservative Party, support doing anything it takes to protect our children, and I resent any implications to the contrary. Every question directed to any minister on the smoking file gets a response that suggests otherwise. But no one on this side wants kids to

smoke any more than you do on that side. We have the power to rail about the non-level playing field; they have the power to level the playing field, but they don't do it.

Let me quote from a recent statement to this House by my colleague from Haliburton–Kawartha Lakes–Brock. She said:

"When my colleague brought forward a bill calling for an educational campaign for parents and others on the dangers of smoking in vehicles with children inside, this government was silent yet again. When asked why children can purchase cheap and dangerous cigarettes without so much as being asked for identification, she is silent. Why should some children in this province be excluded from protection from smoking, both first- and second-hand ways? It's two-tier protection of children.

"Is the minister going to plan to police the automobiles as they drive away from the many illegal smoke shops we have in Ontario? Is she going to enforce that?" I suggest, Mr. Speaker, to you and to the members of this House, that that is a major focal point for the Smoke-Free Ontario Act.

So of course this legislation is worthy of support; I don't argue that. Will they enforce it? I have my doubts. The enforcement might take the form of a just-in-passing arrest. A police car stops at a light. A policeman sees a mom smoking in her car; the kids hopefully are buckled in. At least that law is being respected. So there is a stop and there is a \$250 fine, and that's about as close as it gets.

1550

I used the analogy a couple of weeks ago in a short two-minute hit, the one I referred to that some people didn't like, where I talked about the possibility of enforcement taking the form of an OPP cruiser careening down the 401, to catch what? A mom smoking in the car with her children present when in fact that same mom can go home to the kitchen and, outside the view or the purview of the law, can still smoke in the presence of her children.

I used the term "moron" to describe anyone who would smoke in a car in the presence of children, and it does apply. Perhaps we can hope that debating this legislation will let the morons out there know that what they're doing in their cars and in their kitchens hurts their kids. I hope so.

That in itself—the statement I've just made—is a form of education, but it's not formal education. Why doesn't the McGuinty government, which rakes in millions upon millions of dollars in tobacco tax revenues, consider educational efforts that work as opposed to just using a nanny-state ban for everything? Until right now, what has the government done to educate people on the effects of second-hand smoke on children? The answer to that question is nothing. With the several aforementioned private members' bills on this very issue over and done with, with the Ontario Medical Association, the Lung Association, the Heart and Stroke Foundation, among many, many others, screaming for this ban, why not educate if you weren't going to legislate? "Now we'll do



it," you say, but that doesn't negate the education component. So let's do it.

As with many other issues, we in Ontario are playing johnny-come-lately here. As recently as January of this year, the Minister of Health Promotion was saying that she was content to postpone the debate of such a ban until the end of the year. Did she take the advice of medical stakeholders or did she just set out to deflect the heavy criticism being levelled at her, in her innocence, over the illicit tobacco trade? I think I know the answer. Sorry, but it's as if 37% of all tobacco sales being illicit, or 40% of butts found around high schools—and there are illicit cigarettes as well in Mississauga—is one thing, and passing a bill like this is another. They're both about protecting people, and when I talk about people, I talk about the children of Ontario. Can we just address that?

The facts of this bill leave open many questions: first, police officers as enforcers of this. They have many things to do. I suggest to you that this is low on the priority list, as important as it may be. Second, the fine is \$250. It's a lot of money to some; it's sustainable to most. If we're talking about seriously getting rid of this, maybe that number has to be higher. Finally, the legislation addresses tobacco, but lots of people smoke other substances in their cars. That's reckless in and of itself. Add a child to that mix and my prior use of language doesn't even begin to apply. So let's cover smoking of any substance in a vehicle if we're going to pass this law.

Isn't it interesting that tobacco use still remains the number one cause of death here in Ontario? Some of that is obviously residual: older, long-term smokers reaping what they've sown. But second-hand smoke is what we are addressing here today. Those exposed to it, notably children, with no choice whatsoever, can be—will be, if we don't put an end to it—the next round of victims.

Again, the legislation has merit despite the fact that I prefer education over legislation.

Let me refer this House to a significant stakeholder position. Michael Perley of the Ontario Campaign for Action on Tobacco, which represents groups like the Ontario Medical Association and the Canadian Cancer Society, said that an education campaign would be an important step as long as it leads to an eventual ban. "Our collective position is that you need a public education campaign to precede the implementation of the law," said Perley. "I think we also absolutely need the ban, and the law on the books, because apparently there's still people who have not got the message about the serious impact exposure can have on kids. We need something in force where if someone is seen doing this there is a sanction, because there's certainly one for if you don't have your child properly installed in a child seat...."

"The combination of an education program and the law will get the message through to people who are still doing this," said Perley. "For those who continue to smoke in their cars with children present we need the law to be sanctioned."

As I've suggested, the sanctions should be larger than envisioned.

We also know that kids have higher metabolism and respiration rates—respiration rates fall into metabolism—so they would tend to absorb more smoke if they were in that environment. We also don't know what effect the 4,000 chemicals and over 50 known or suspected carcinogens might have on young and still developing immune and nervous systems.

A vast majority of Ontarians agree with protecting kids from second-hand smoke and also that people strongly support this legislation. Actually, though, only 66% of smokers do, so all we can do is hope that the 34% of smokers who do not support it are not the ones with the children.

In concluding, let me restate that I support this bill because, absent common sense on the part of smokers, kids indeed need protection. Let me also repeat what I said a few weeks ago, to the chagrin of several members from the government side: We need to start dealing with tremendously important issues here. This House will rise in a few short weeks, and we will not reconvene until the end of September.

I believe that those items are: where our province is heading economically; the loss of good jobs to other jurisdictions; the loss of good citizens who leave to seek their fortunes elsewhere; health issues like C. difficile infections in hospitals—as a former Quebecer, I can tell you it is a madhouse there with that, and we haven't begun to see what's going to happen in Ontario, and that is not an expressed hope, but an expressed fear—long-term-care beds; and in my riding, goodness knows, transportation.

These are the issues this House needs to be dealing with. We have spent far too much time, since last fall's election, dealing with bans and with adjustments to legislation. We have real problems in Ontario. I do not want to demean this issue by saying what I have just said, but let's get this bill passed and let's move on.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Michael Prue:** I was wondering whether to actually stand, because I believe that the time for debate is over. But I was taken with a few things from the member from Thornhill, which I guess forced me to my feet.

The first was his discussion around the whole issue of enforcement. I agree with him that it may, in fact, be very problematic to enforce this bill. You're literally going to have to have a complainant alert the police in advance in order to stop a car where they have good and probable grounds to believe that someone may be smoking inside.

It is very difficult, unless one is in very close proximity, to actually see someone smoking a cigarette. Unless it's very blatant—if it's in your hand—it's not clear to the eye. It's hard enough to see a car, let alone the driver inside the car, let alone a tiny little cigarette in the hand inside the car, let alone a couple of kids sleeping in the back seat. I think there will not be much enforcement



around this bill, and education is perhaps a better way to go. In that, he is correct.

The second thing he was talking about, and which he closed with, I think, is very important to this House. There have been a number of bills that some in the press have called fluff bills. This one, although it may be very important to some, is not one of the great issues of the day. We have taken action in the last Parliament to ban cigarettes, to ban power walls, to do a number of things that were essential and long overdue, things that municipalities had done and predated us by years upon years. We finally got around to it, and that's a good thing.

Bills like this one, which was a private member's bill that the Premier disagreed with and suddenly saw the light on, are of a very minor nature. The member is absolutely correct that we need to get on to the great issues of the day. This, as important as it is to some people, is not one of those great issues. I believe the time for debate—and I concur with him on this bill—is now over.

1600

**Ms. Helena Jaczek:** It gives me great pleasure to rise again in the House to address Bill 69, An Act to protect children from second-hand tobacco smoke in motor vehicles by amending the Smoke-Free Ontario Act.

Our colleague from Thornhill is obviously very interested in the educational aspects of what the Ministry of Health Promotion is doing as it relates to creating what we hope one day will be a smoke-free Ontario. So I thought perhaps I would just tell him a little about the call volumes that the smokers' helpline has been getting—in fact, increasing annually. More than 17,000 callers accessed the smokers' helpline in 2006-07, an 8.7% increase over the previous year. In addition, over 7,000 people registered for the smokers' helpline online personalized and interactive quit program. The interim results for 2007-08 are continuing to show an increase in demand for the services of the smokers' helpline, and online. Approximately 27,000 Ontario smokers were motivated to quit during the month of March by participating in the Driven to Quit Challenge in 2008.

As it relates specifically to youth, there was a concerted effort to work with aboriginal youth. In March 2007, the first-ever provincial aboriginal youth summit brought together more than 200 youth province-wide to develop tobacco-wise activity for their communities. We are seeing results with youth. In 2007, 12% of students in grades 7 to 12 reported having smoked in the past year, down from 14% in 2005.

Obviously time doesn't allow me to continue at this particular time, but there are many examples of excellent programs provided by the Ministry of Health Promotion.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments? The member for Caledon-Mississippi Mills.

**Mr. Norman W. Sterling:** What did you say? Carleton.

**The Deputy Speaker (Mr. Bruce Crozier):** Carleton-Mississippi Mills.

**Mr. Norman W. Sterling:** Thank you. I'd like to comment on the member's speech as we are supposed to in this Legislature in response. I want to talk about the illegal sale of tobacco, which he referred to in his comments.

The effect of this legislation, the effect of the legislation with regard to power walls, has such a minor effect on the use of tobacco, particularly by our young people, that it's almost laughable. The sale of illicit or illegal cigarettes is the biggest challenge we have in telling our young people not to begin smoking. We all know that the addiction to nicotine is tremendous. Once young people get hold of these illegal cigarettes and start smoking, in some cases it's impossible for that person to ever kick the habit because of the tremendous addictive nature of nicotine to them.

Now, I want to say that not only is the illegal sale of tobacco very harmful to the young people particularly in our community, but it's also very harmful to our society as a whole. I want to talk about the small business owner of a small general store in Fitzroy Harbour in the riding that I represent, Carleton-Mississippi Mills. They have seen tobacco products fall off in sales dramatically. That's not because there is a decline in the use of tobacco—because there is—but it's because the resident upstairs is selling illegal tobacco. The store owner sees bags of tobacco go out of that apartment upstairs. They report that to the police and nothing is done.

Until we get after illegal tobacco, we will not beat this terrible habit.

**The Deputy Speaker (Mr. Bruce Crozier):** Member for Thornhill, you have two minutes to respond.

**Mr. Peter Shurman:** Thank you very much to my colleagues from Oak Ridges-Markham, Carleton-Mississippi Mills and Beaches-East York for their comments, which all, I feel, dovetail very well into what I had to say.

First of all, in response to my friend from Oak Ridges-Markham, I acknowledge that education has formed an aspect of the Smoke-Free Ontario Act and has done some good. There's no doubt—I can't argue, and neither can anyone else—that the general reduction of smoking in Ontario has been sustained. How much of it we want to attribute to the Smoke-Free Ontario Act, I can't say. We don't have that statistic. But it's good to know that it's down. That having been said, it isn't a question, when I raise the issue of education, of educating generally about the ills of smoking. I talked about educating on this particular file before we went the route of passing legislation on it.

In response, as well, to my colleague from Carleton-Mississippi Mills, he told a story that I've probably heard, at this point, a couple of dozen times, and I've heard it, indeed, from people who are charged with the enforcement of the Smoke-Free Ontario Act. Illicit tobacco is the problem. The Ontario Convenience Stores Association reports a 25% general revenue drop, which they attribute directly to the loss of tobacco sales. One could easily say, "Well, good, they're selling less tobacco, so fewer people are smoking." No. Their loss is due



to the sale of tobacco by illicit smoke shacks. That's where the disconnect occurs.

In response to my friend from Beaches—East York, yes, enforcement is a problem. I'll simply underscore what I said before: Education has to come before legislation. We've heard from Michael Perley in a quote that I put forward to this House, and I think the two go hand in hand.

So let's pass the bill, and indeed, let's get rid of what the press has referred to as "fluff bills." Let's deal with things like 207,000 jobs lost. Oh, and by the way, let's pass some private members' bills that have merit.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? Does any other member wish to speak?

**Hon. John Wilkinson:** I'm delighted to enter into the debate. I think there are rare opportunities, as members, when we have an opportunity to have consensus. This is not a place that is designed to reach consensus. It is a place where there is to be a vigorous debate, but every so often, we have items on which I think there is a consensus. The importance for us to pass Bill 69—and I agree with my colleagues on this side of the House and the other side of the House that this is a bill whose time has come.

I come to this debate as someone who, fortunately, did not take up the habit of cigarette smoking as a young person. I'm praying that our three children—my wife and I—don't smoke. I don't think they do, and I think they've been raised not to. We know how pernicious an addiction it is and how important it is that we recognize that tobacco companies target not 49-year-old men like me, where there's not a lot of economic benefit to getting me hooked on cigarettes, but rather, they deliberately target our children.

I was in my riding just the other day and I dropped in at a little place called Gads Hill to get some gasoline. I went in to pay my bill, and I was so happy to see that the power wall in that little store had been taken down. The week before, it was still up. They were already, in advance, in compliance. When I was on the committee with other members of this House in regard to the Smoke-Free Ontario Act, we dealt with the issue of the de-normalization of cigarette smoking, particularly the message that we send to our children, and we do that by saying that you do not put cigarettes out with Twizzlers and candy bars.

There are vulnerable people, our smallest children, who don't have a choice as to whether or not they are exposed to second-hand smoke. They are exposed to second-hand smoke, actually, by members of their own family in the home in which they live. But I think society has come to a point where we believe that a child, particularly one exposed to second-hand smoke in the confined quarters of a car—that is now unacceptable.

I want to commend my friend the Minister of Health Promotion for introducing this bill and all the members from all sides who have championed this cause, particularly the member from Sault Ste. Marie, who, I think, receives special note for his persistence on this idea.

1610

There are times when an idea is ripe for the plucking, and that is today for this issue. As the Minister of Research and Innovation, I'm focused on the issues of the future and ensuring that our children have a brighter future. It's so important that we do not allow them, whatever way we can, to be exposed to nicotine.

I heard some members of the opposition say that it's very difficult to enforce this bill. I think that, more than anything else, this sends a very clear signal to society as to what behaviour is and is not acceptable. The state is not around every corner. It is, in most cases, human behaviour that determines our fate. We're not going to have the state at every corner, but I know that people will drive and say, "If I'm pulled over by the police and I roll down the window and the smoke comes pouring out and there's a baby in the back seat"—we are sending a signal to the people of Ontario that we, and I believe all of us in this House, will say that that is unacceptable. Times change, and I think this is one of those times when we are making it very positive.

I want to reinforce that this is an item whose time has come. There is a consensus around this place. I would urge all members to stand in their place. I don't think that it is a particularly partisan bill. There is always room for debate on other issues and that people are being asked to perhaps meander off of this central issue, but there is one central issue. The people have been very clear to all of us in our constituency offices that this bill's time has come. I would urge all members to dispatch this bill just as quickly as possible and that we send a new, clear statement to all the people of Ontario about what is and is not acceptable and how we must protect those who are most vulnerable.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Pat Hoy:** I'm pleased to rise and provide some comments on the member's dissertation on the act to protect children from second-hand tobacco smoke in vehicles.

I can recall that when I was in high school—which admittedly was in another millennium—the great talk about cigarette smoking at that time was that it might stunt your growth, it might give you emphysema when you were a whole lot older and it was just kind of a nasty habit. It wasn't a very polite thing to do around others.

Medical science over the years has gathered a lot of information and provided a lot of research, a lot of background and a lot of truth to the fact that smoking is indeed bad for one's health. It causes numerous illnesses, and now we have even come to realize through science, that second-hand smoke is also dangerous. It's particularly dangerous for children who are in an enclosed car. These children who breathe second-hand smoke are more likely to suffer health problems such as sudden infant death syndrome, asthma, cancer, of course, and cardiac diseases later in life.

So I think this is an important piece of legislation to send the signal to those who might be considering



continuing to do this—even though education might be an excellent piece to go along with this bill, when it is passed and if it is passed—that we have a strong attitude about this in this Legislature, that it won't be tolerated that they would embark on this, because second-hand smoke levels in motor vehicles can be up to 27 times worse than in a smoker's home. If we think about the confined space, it only makes some sense that that particular science would be true.

**Mr. Norman W. Sterling:** I just have a request to the government: Stop filibustering your own bill. Let's vote.

**Mr. Michael Prue:** Ditto.

**Mr. John O'Toole:** I just want to put on the record that anything that has been expressed that this side would not support this bill should be expunged from the record.

If you want to look at the history of this particular debate over many years, the member from Carleton-Mississippi Mills was a strong and often-heard advocate against smoking in any form, as well as the member from Kitchener-Waterloo, Mrs. Witmer, as Minister of Health, who took initiatives and was very much supportive. I think the government is the one that was a bit slow in getting to the mark on this thing and putting it together.

That being said, as everyone else in the House is saying, why are we spending so much time on a bill that we all agree on when in fact we could be talking about the economy and other, more important issues?

**The Deputy Speaker (Mr. Bruce Crozier):** The Minister of Research and Innovation, you have two minutes to respond.

**Hon. John Wilkinson:** Thank you, Mr. Speaker. I'll take less than that. I think we have come to a consensus, and that was the reason for my remarks. I want to commend the members opposite. This is a time for us to take action, and we look forward to speedy passage of this bill.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. David Zimmer:** We've heard from members on all sides of this House about, if you will, the technical reasons and the statistics supporting this piece of legislation. We've heard the percentage of cancer deaths and we've heard medical evidence and we've heard of the support from various stakeholders and so on.

But let me just take a minute to put a human face on what this legislation means. I remember as a kid—and God bless my parents. I know they meant no harm, and I expect that in today's world they would have been the very first to not smoke in the car. Nevertheless, there was a culture in a generation before in which smoking in a car, if you were a smoker, was perfectly normal. I can remember trips in the car with my younger brother and my younger sister. We'd be going to visit my grandmother, my father and mother in the front seat and the three kids in the back. Without thinking, they would light up and they'd start smoking in the front seat, talking between themselves and talking about the family business. I remember distinctly—I can smell it to this day; I can feel the burning in my eyes—the three kids in the

back seat and the car filling up with smoke. And then I'd start to wheeze and my sister and brother would start coughing. But the very worst thing was getting sick to your stomach, getting green at the gills and feeling nauseous.

I remember saying to my father and my mother, pleading with them, "Stop smoking. I'm getting sick." They'd say, "Oh, you're okay. Be quiet. You're just misbehaving." Then my sister would start to whine and my younger brother would start to whine and the car would fill up with smoke and we'd get greener. Eventually, my father would stop the car and open the door and say, "Let the kids out." We'd go to the side of the road and we'd cough and maybe have a drink of water and get sick and then we'd have to get back in that car and they'd start smoking again.

Fast-forward. My parents finally caught on; they both stopped smoking. Mind you, I was a teenager when they stopped smoking. But I do remember those rides in the back seat of the car. To this day, I discuss them with my brother and sister and at some level we have a laugh about it, but at the other level we realize what an unhealthy thing that was.

I make this point because I think there's a whole new level of awareness today about what is acceptable. My parents in those days also smoked in their home; they probably smoked on a train or a plane; they smoked in their work environments. But things have changed since then. We don't smoke in other persons' homes. Nobody smokes in this Legislature, in the hallways. People don't smoke in airplanes; they don't smoke in washrooms; they don't smoke on buses; they don't smoke on public transit. The last bastion of where they'll smoke in front of others is in a car. They have this idea that it's okay, it's their car, they can smoke, that the passenger is lucky to be getting a ride or whatever. We have to break that last bastion. It's not okay to smoke in a car in the presence of others, particularly children. This is good legislation.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**M. Jean-Marc Lalonde:** C'est avec grand plaisir que je viens appuyer ce projet de loi 69, un projet de loi qui porte sur la protection des enfants de cette province, ces enfants qui sont l'avenir de notre province.

Let me tell you, at the present time we have to congratulate the member for Sault Ste. Marie, who thought of coming up and tabling this bill. I just wonder why nobody ever thought of this before.

If you look at the banning of smoking in the province, I believe the city of Toronto was the first one to ban smoking in public places. Today we're looking at doing that across the province, because the McGuinty government has taken action.

Today we are debating a bill, really, that would not only protect the children of today, but also the other people accompanying a person travelling in a car. I know at this point we're really only talking about children, but we should also look a little further, in the near future, to completely banning smoking in cars. If you intend to

trade your car in and you have smoke in the car, immediately the value of the car is going down. We never took care of the health of the people travelling in a car in which a person is smoking.

When I look at the changes that occurred in the federal buildings—I used to be a federal civil servant. The absenteeism was reduced considerably after the government said no more smoking in federal buildings, in public buildings.

Today we are debating a bill that is very, very important for the health of all the children of this province.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Norman W. Sterling:** I'd like to suggest we vote on this matter.

**The Speaker (Hon. Steve Peters):** The member for Beaches—East York.

**M. Michael Prue:** Monsieur le Président, d'accord.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments? Response? Does any other member wish to speak?

Mr. Bryant has moved second reading of Bill 69. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**The Deputy Speaker (Mr. Bruce Crozier):** Shall the bill be ordered for third reading? The parliamentary assistant, I assume.

**Ms. Helena Jaczek:** Yes, Mr. Speaker. I ask that the bill be referred to the Standing Committee on General Government.

**The Deputy Speaker (Mr. Bruce Crozier):** Shall the bill be referred to the Standing Committee on General Government? Agreed.

Orders of the day.

**Hon. David Caplan:** Mr. Speaker, I move adjournment of the House.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

This House is adjourned until Thursday, May 29, at 9 a.m.

*The House adjourned at 1623.*



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of Ontario**

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**Assemblée législative  
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of Debates  
(Hansard)**

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des débats  
(Hansard)**

**Thursday 29 May 2008**

**Jeudi 29 mai 2008**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 29 May 2008

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 29 mai 2008

*The House met at 0900.  
Prayers.*

## ORDERS OF THE DAY

### ORDER OF BUSINESS

**Hon. David Caplan:** On a point of order, Mr. Speaker: I believe we have unanimous consent to put forward a motion regarding division of time for debate on the motion for third reading of Bill 80.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Hon. David Caplan:** Thank you, Speaker. I move that the time available until 10:45 this morning be divided equally among the recognized parties to debate on the motion for third read of Bill 80, An Act to establish Algoma University and dissolve Algoma University College, following which the Speaker shall put every question necessary to dispose of the motion for third reading of Bill 80 without further debate or amendment.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Agreed to.*

### ALGOMA UNIVERSITY ACT, 2008

#### LOI DE 2008 SUR L'UNIVERSITÉ ALGOMA

Mr. Milloy moved third reading of the following bill:

Bill 80, An Act to establish Algoma University and to dissolve Algoma University College / Projet de loi 80, Loi portant création de l'Université Algoma et dissolution de l'Algoma University College.

**The Speaker (Hon. Steve Peters):** Debate?

**Hon. John Milloy:** It's a pleasure to be here this morning to address this bill once again. We had an opportunity yesterday to participate in second reading debate and pass it. I just want to indicate at the outset that I'll be sharing my time with my colleague the member from Sault Ste. Marie, where Algoma University College is located, and he, of course, will want to speak at some length about the importance of this bill to his community.

I just plan to spend a minute this morning, before turning it over to my colleague, to really summarize what I had a chance to say yesterday, that in my mind this bill is really recognizing three things: first of all the excellence in education that takes place at Algoma University College. As members know, it has been in operation since 1964. It operates offering degrees from Laurentian University and in many ways has a degree of independ-

ence already. It has a board of governors and an administration which puts forward really an excellent program for students who go there. By taking this step, we'll be able to enhance the educational experience.

The second point is the special role that Algoma University College already plays in the north and, as an independent university, would play in northern Ontario, allowing students from the Sault Ste. Marie area and beyond in northern Ontario an opportunity to study closer to home, to pursue it at an outstanding undergraduate institution, receive their skills and stay in the north. I know President Ross was indicating the other day, very correctly, that she hopes they will have students from across the province and the country, and we certainly hope to see Algoma flourish. It still has that special role in the north in providing a place for those from northern Ontario.

The third point is its special role in terms of aboriginal education. As I had a chance to indicate yesterday, and I imagine my colleague from Sault Ste. Marie will go into it in some detail, right now at Algoma University College, 20% of the students are First Nations. It has a very, very special link with the First Nations community in the area and again will serve as a bit of a beacon in northern Ontario for First Nations education; indeed, if members look at the bill, it's one of the special missions going forward.

I am absolutely delighted that this is my first piece of legislation as a minister. I want to congratulate the administration at Algoma University College. I also want to make reference to Laurentian University, which has played such an important role in Algoma's life and is very supportive of this move. I also want to congratulate the community of Sault Ste. Marie, which came out in force. I had a chance to mention yesterday a delegation here in the gallery as well as a large delegation which was joined by TV link in Sault Ste. Marie itself, and they expressed their appreciation for this. I want to pay a tribute to the local MPP, David Oraziotti, as well as Mike Brown, from the area around it, and all the northern members, who have been supportive of this. Finally, I do want to pay tribute to my colleagues in the opposition who have been supportive of this bill and have worked co-operatively to have it go through. I think it's an excellent symbol, when we can all come together for a good piece of legislation and work to see it passed in an expedited manner.

With that, I urge all members to support this bill. I think it takes another important step in ensuring excellence in post-secondary education in this province.



**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. David Oraziatti:** This is a very exciting bill for our community and for Algoma University College and their community. First of all, I have, obviously, a long list of individuals to thank and congratulate. Of course, you run the risk of not including everybody, but we're going to give it an attempt here anyway, because I think some of these individuals certainly deserve some recognition for the very, very important role that they have played in helping us arrive at this particular point. I have some time this morning, and I do want to be able to speak a little bit about the importance of the institution to our community, to what this bill means to our community, as well as the important role that the First Nations play in Algoma University College, and a little bit about the history of the institution and how we've arrived at this point.

First of all, I can't say enough about the Premier's leadership on this. This is very, very important to the community and it's not every day that we move forward with legislation that has the effect of creating a new university in the province of Ontario. It is indeed historic. The Premier has been behind this from day one, so I want to thank him very much for his support. I also want to thank Minister Bentley, who came up in June 2007 and met with the university community and announced that we would be moving forward with legislation for independence. And today we're here speaking to Bill 80 in third reading. It's been a fairly quick week.

0910

I will also want to congratulate my colleagues across the floor here, who have been supportive as well. I have heard nothing but positive comments from them. I know the Conservatives and the NDP have both been supportive of this, so I want to thank them for that as well.

Minister Milloy and his political and ministry staff have been exceptional in their support for Algoma University. I want to congratulate them and thank them very much on behalf of our community, and our school community, for the very important role that they have played in moving the legislation along this quickly.

The school community has worked very hard. I should tell you that, having had the privilege of serving as a board of governors' member at Algoma University College in 2000 as a second-term city councillor and being a part of the charter steering committee for independence at Algoma University College, this is something that has been supported for some time. It has seen a somewhat long history.

In 1992, the school made it public that they wanted to be an independent university, and they've had challenges in getting there. But today is obviously a very proud day for the institution and for our community.

There are a great number of individuals who have worked very hard at Algoma University College in preparation for this and are very hopeful, obviously, that this bill will pass: Dr. Celia Ross, the president of Algoma University College; the academic dean, Dr. Arthur

Perlini, the chair of the board; Bud Wildman, who is no stranger to this place—he was a member here in the Legislature for some 24 or 25 years—as well as all of the staff. There are a lot of unsung heroes at Algoma University College who really support this move and care about the future of their institution.

We're going to go over just a couple of important points about the college. The college was established in 1964 as an affiliate college of Laurentian University and currently has about 1,200 students. This is not a college that has been around for five, 10 or even 20 years; this college has a very long history in the province of Ontario, and they're ready for independence. They've reached a level of maturity and critical mass, I would say, that allows for a very smooth and productive transition as an independent university in northern Ontario.

Algoma University College specializes in undergraduate liberal arts and sciences education. Its location and historical roots provide the basis for the institution's distinctive awareness and commitment to northern Ontario and native communities in the region.

Algoma's enrolment has been growing significantly over the last number of years, certainly over the term of our government. Everyone recalls the double cohort that sent many students out of the high school system into colleges and universities across the province in significant numbers. They've grown by about 17% in the last five to six years.

The school currently has its own board of governors and its own senate, but they receive all approval for their programs from Laurentian University. Graduating students from Algoma University College currently see "Laurentian University" on their degrees. That would obviously change if this bill is passed.

I also want to thank Judith Woodsworth, the president of Laurentian University, for her support in moving forward. Laurentian has been very co-operative, very supportive, and knows that this is important for Algoma University. In a competitive age, where universities and colleges are vying for programs and for students, I think it is very commendable of Laurentian, to say "We fully endorse and support the direction that the province wants to go in with the university college, as well as the school community."

You should also know that Algoma offers degrees in over 30 programs, including programs like computer science, business administration, biology, chemistry, geography, geology, community, economic and social development.

As well, under our government, we have approved a master's in gaming technology at Algoma University College. It's the only program like it in the country. It's a very important program. I had an opportunity last year to visit the school with Minister Bentley and meet some of the students who were enrolled in this program. It's not a large group of students, but it's a very unique program that is based on the knowledge economy and has an extremely high job placement rate. The students were from all over the world; there were students from Brazil, China, Europe, the United States and throughout Canada.



I was very impressed by Algoma's ability to attract students from different countries to this program. I know that when I was on the board, Krista Yetman was out doing recruitment in southeast Asia and different parts of the world to try to bring students to Algoma University College. They have a significant presence of international students, and I know they're continuing to work to enhance the international presence at the school. That's certainly very commendable.

If the legislation passes, it would make Algoma University the north's fourth independent university. I think it's important that we take a few minutes to look at the history of the institution so we can understand how we've arrived at this point. As I said, I think Algoma is frankly quite ready for independence and has been for a number of years.

"The desire to establish an undergraduate liberal arts college in Sault Ste. Marie originated as a broad citizen movement in the 1950s. In October of 1964, Algoma College Association was incorporated by letters patent through the province of Ontario. One year later, Algoma College was established as a non-sectarian institution affiliated with Laurentian University.

"In September of 1967, Algoma College opened its doors to students. Its program for full-time students was limited to the first year of the B.A. and B.Sc. degrees. In part-time studies, the college was permitted to offer the full-time B.A. program. In the early years, part-time enrolment expanded rapidly to over 1,000 students by 1969-70." The school was going strong.

"The strong community support that led to the founding of the college continued during the early years of its" ongoing work and "development. The citizens of Sault Ste Marie, through their municipal government, provided major assistance to the college in the form of capital and operating funds. In addition, local industries, businesses, service clubs and individuals established a scholarship program for students attending the college."

This is a deeply entrenched institution in our community, and our community is passionate about it and the region is passionate about it. I see my colleague sitting over here, the member for Algoma-Manitoulin, who is a long-standing member of this Legislature and whose communities in Algoma-Manitoulin greatly support, and whose young people greatly support, Algoma University College. I know he has worked very hard as well to support the legislation today, and I want to thank him for his work. I should add that one of his daughters had the opportunity to go to Algoma University and has recently graduated—

**Mr. Michael A. Brown:** Paula.

**Mr. David Oraziatti:** —Paula, he's telling me. He's quite proud of that experience, and I think she's still in Sault Ste. Marie.

**Mr. Jeff Leal:** Isn't she getting married soon?

**Mr. Michael A. Brown:** She just got married two weeks ago in Sault Ste. Marie.

**Mr. David Oraziatti:** She just got married two weeks ago in Sault Ste. Marie. I think the member is more proud of that.

*Applause.*

**Mr. David Oraziatti:** The year 1971 marked a great turning point in the college's history with respect to both program and facilities. In recognition of the rapid process of growth of the college, the department of university affairs at the time authorized the expansion of full-time in arts to the full three years. In September 1971, they added the second year and in 1972 they added the third year of programming. "In addition, in September 1971, the college was relocated to its own campus. The college acquired by lease Shingwauk Hall and the Shingwauk site, including 53 acres of land fronting on the St. Marys River. Extensive renovations were completed to Shingwauk Hall," and temporary buildings were erected to provide a science laboratory, music conservatory, language laboratory, office and classroom facilities.

In 1973, there was the additional construction of the library wing. "In 1975, with the assistance of a grant from the Ministry of Colleges and Universities, the college purchased Shingwauk Hall and 37 acres of land surrounding the buildings. In 1989, the Arthur A. Wishart Library was opened and other renovations were completed." Some of you may remember the name Arthur Wishart, from my community of Sault Ste. Marie. He was a former Attorney General, and the Arthur Wishart Act was something that he was probably most remembered by. He was certainly well respected in our community, and very fittingly, a library wing was opened in his name.

0920

"In 1992, the George Leach Centre was opened for athletics and recreation." The 39,000-square-foot George Leach Centre provides a wide range of facilities. The centre's gymnasium features three regulation court surfaces that can accommodate all types of sports: badminton, basketball, volleyball and tennis. I know the folks at Algoma University College are very proud of their athletic centre and it means a lot to the community. It's also available not only for students, but for community use. They can play indoor tennis there in the winter months. Having gone through the winter we just went through, certainly in northern Ontario, I know it was well used.

**Mr. Michael A. Brown:** Is it over?

**Mr. David Oraziatti:** I think it is over.

A student residence was completed and occupied in September 1995, with an additional building opened in September 2001. "With the completion of this construction, Algoma's facilities are as modern as any in the province."

The university is sensitive to the educational needs of the community and certainly responds to these needs. I want to congratulate Algoma University on their very active engagement of students in the Sault Ste. Marie area as well as throughout the Algoma region, who are tremendous supporters of the school. The Arthur Wishart Library is also accessible for public use, as is the George Leach Centre. Many students, faculty and staff lend their knowledge and actively support many community organizations, from government and research, to cultural agen-



cies who participate and are actively involved at the university. Obviously, independence would enhance this role in the community.

I want to spend a couple of minutes speaking about the role of the First Nations at the school. The aboriginal component at AUC is alive and well and very strong at the school. In fact, 20% of the enrolment at Algoma University College is First Nations, and it's expected to grow. That is a credit to those folks working at the college, and the First Nation community representatives who are very actively engaging First Nations in the region to undertake post-secondary education and training, knowing how important it is for all of us.

I know the First Nations folks are very progressive in their thinking about the programs that they want to see offered at the college and that they are currently offering. Algoma currently offers unique programs in Anishnawbe and Ojibwa culture, history and language, including the only B.A. program in the Ojibwa language anywhere. Again, Algoma does considerable outreach with its First Nations.

The Shingwauk Education Trust and the historic relationship of the First Nations people with Algoma University is incredibly important to the school. The trust has the ultimate goal of establishing the first native university in Ontario, coexisting with Algoma, and they view Algoma's independence as a positive step in that direction. I can certainly recall comments by National Grand Chief Phil Fontaine at Algoma University College around First Nations education and the importance of educating and engaging First Nations peoples, and having them very involved in the post-secondary education experience, to give them the skills and education they need to participate in today's knowledge-based economy.

They recognize that, their leaders recognized that, and they are working well together at Algoma University College to ensure that this goal is met. The Shingwauk Education Trust was founded based on a vision of an Ojibwa chief, Chief Shingwauk, in 1875. His vision was to create what was referred to as a "teaching wigwam," with an overall goal of providing education to Anishnabek students.

The goals of the trust have not changed since the Shingwauk vision in 1875, and the organization continues to strive to meet the goals for the success of the Shingwauk University Centre of Excellence for Indigenous Studies. They have a number of goals. I just want to mention a few of these here, because they are very important to the First Nations community at the college. They want to be able to provide opportunities for educational development of Anishnawbe people and other students of native heritage, to deliver educational, social, cultural and economic development programs designed to advance the goals of aboriginal people in the province of Ontario and to initiate co-operative education programs of cross-cultural education between Anishnawbe people and others.

Their mission statement: The organization would like to see the creation of the Shingwauk University Centre of

Excellence and to see the centre become a post-secondary educational institute with the seven Anishnawbek First Nations in Sault Ste. Marie, dedicated to the vision of Chief Shingwauk and the original mandate under the site and guise of the Shingwauk trust.

They strive to deliver holistic learning to advance Anishnawbe people and other students of native heritage. The Shingwauk University Centre of Excellence for Indigenous Studies will be committed to fulfilling the Shingwauk Education Trust mandate to carry on educational programs for Anishnawbe people and other students of native heritage in order to increase knowledge respecting teaching methods, teaching skills and teaching aids through research, education, and publication and distribution of books, papers, reports and other documents that are relevant to First Nation peoples.

The Shingwauk Education Trust has a legacy to carry on the vision of one man who had the insight to look at an important way to meet the needs of his people, to ensure that the children were able to develop the capacities to develop their own land and resources. The trust believes that as native peoples have evolved from hunters and gatherers to the agricultural age and the industrial age, they recognize that they are now in a knowledge age where their advancement through post-secondary education is key to their success, and I think we probably all agree. They have stated that the tool needed to move from the industrial age to the knowledge age is the medium of post-secondary education.

In recent years, the trust has noted that Statistics Canada reported that from 1901 to 2001, the aboriginal ancestry population increased tenfold while the total population of Canada rose by a factor of six. They recognize that many corporations have been made aware that the fastest-growing population is the Anishnawbe people of Canada and that they will play a major role in the workforce of tomorrow. It's very important that we encourage and support the goals of First Nations to gain post-secondary education and the skills and training they need to be successful participants.

The trust is forging ahead to develop a First-Nation-owned, managed and controlled education institute with relevant curriculum and course content. They seek to develop programs to meet the needs of First Nation communities in the areas of leadership, administration, policy development and analysis and financial accountability, and to assist with the implementation of new national and international government initiatives.

I want to just read very briefly here. Here's what Darrell Boissoneau, who is the president of the Shingwauk trust, said in a letter in reference to the introduction of the legislation this week:

"On behalf of the board of the Shingwauk Education Trust we want to extend our congratulations on achieving legislative support" for independence for Algoma University.

"We believe that an independent post-secondary institution situated here in Sault Ste. Marie on lands that are



set aside for Anishnawbe education will be of significant importance for student needs and excellence.

"I wish to convey the sentiments of Chief Lyle Sayers from the Garden River First Nation"—my understanding is that Lyle Sayers is a descendent of Chief Shingwauk, who is now the chief of Garden River First Nation and who completely endorses this legislation and supports the independence of Algoma University College—"and myself that the success of our efforts are linked to the common understandings of the covenant and that also requires Shingwauk Kinoomaage Gamig to achieve ministerial consent as soon as possible. In this regard we look to your continued support for Shingwauk's vision to take its rightful place."

I really want to thank Darrell Boissoneau, who is the president of the Shingwauk trust, as well as Chief Lyle Sayers of the Garden River First Nation, for their wholehearted endorsement of this legislation. This is a very significant step in helping the institution move forward.

I would be remiss if I did not mention the work of a Minister of Training, Colleges and Universities from a number of years ago. The member from Vaughan, Greg Sorbara, was, as you know, the Minister of Training, Colleges and Universities some time ago.

0930

I was related a story by an individual who was the chair of the board at Algoma University. His name was Geri Nori. He passed away some time ago, but before he did, he told me about his time at Algoma University College as the chair of the board and how important provincial support was to them. He told me that at one point the school was in debt around \$1 million or \$1.5 million, I think it was. Back in the 1980s, that was a little more than it is today, but it was significant for a university college of this size.

Geri Nori was a well-known lawyer in our community. He actually practised law at the Wishart firm in Sault Ste. Marie. Wishart was a former Attorney General here at Queen's Park. Geri told me about a discussion with the Ministry of Training, Colleges and Universities. He was asked to come, with the president, to Toronto and meet with them around their circumstances. He anticipated at the time that Algoma University College was in fact going to be closed, that there wasn't going to be a future for Algoma University College and that the opportunity for young people in our community to gain a post-secondary education locally was not going to be there any longer. Geri was very impressed, when he had the opportunity to sit down with Minister Sorbara at the time, that they were going to find a way to meet their financial commitments and obligations despite the struggles of the school at that time. Certainly, their future was very much in question.

I asked the former minister about that conversation and I said, "Here's what Geri Nori from Sault Ste. Marie told me about this. What do you remember about this? It sounds like it was a very important decision that was made and your support was instrumental in ensuring that Algoma University College remained open in Sault Ste.

Marie." He said to me that when he was the minister he had travelled to British Columbia for some type of meeting. A small community college was closed in a community in BC and he remembers the circumstances around that, how unfortunate that was and the lack of opportunity that resulted from that. He came back here and certainly did not want to see that happen to any school in Ontario.

I want to thank Greg Sorbara who, in recognition, was made an honorary member of Algoma University College in 2000. In 2005, Greg Sorbara was part of a ribbon-cutting ceremony at the ICT building, the Information Communication and Technology building, at Algoma University College, which is now the Great West Life Amphitheatre, a 32,000-square-foot facility on campus—very fitting. In a speech in Thunder Bay, he congratulated Algoma University and said it was, according to him, his favourite university campus in Ontario. I want to thank him for his historic support of the university. It was very fitting to have some of the information from the previous board members at Algoma University College in recognition of a contribution by the Peterson government of the day in supporting and ensuring that Algoma University College remained open.

It was also quite fitting that just this past week Minister Milloy and I had the opportunity, with Dr. Ross and Bud Wildman, to participate in a live video-link conference from the Great West Life Amphitheatre. The theatre at the university was packed, there was standing room only, and through a live video link we were able to talk a bit about the importance of this legislation and celebrate that together with the Algoma University community. I did want to mention that, because it was instrumental and very important in terms of the school remaining open.

Our government very clearly recognizes that a degree-granting charter would not only strengthen Algoma University College but would also have a very significant positive impact on our community's economic, cultural and social landscape. The projected enrolment at the school is expected to double to around 3,000 students as they continue to attract students from throughout Ontario and all over the world. Degrees would be granted under Algoma University's name rather than under Laurentian's name and would provide for more autonomy at Algoma to pursue its own aspirations in programming to better address the needs in the community and throughout the region, in partnership with the First Nation peoples of the province and in the region—again, a long history, established in 1964, I think. Algoma has reached that level of maturity and independence on its own.

Through a legislative process here, I'm very hopeful that the bill will pass. Again, I want to recognize the opposition parties and members, and to thank them for their support in helping to move this process along at a little more rapid pace. I know it's greatly appreciated by the community and by the institution.

I want to just read very briefly what Dr. Ross had to say about the importance of the legislation being introduced: "Algoma University College is delighted. The



introduction of the charter legislation and the passing of the first reading in the Legislative Assembly of Ontario today" is a giant step toward the launching of a new university. "Algoma U students are future leaders" who will "use their education" earned here "to transform their communities. We will be the university for students who want innovative, community-based, hands-on programs in technology, science, business and liberal arts."

So Dr. Ross is certainly very excited about the university's opportunity to become independent. I know that our mayor and council have supported this initiative as well. Council supported a \$250,000 contribution toward the Information and Communication Technology Centre that was built at Algoma University College and opened a number of years ago. As well, they've recently supported independence with another \$200,000 contribution. The mayor was part of the video conference and spoke very glowingly about the importance of this and about council's commitment to it.

I want to thank Mayor Rowswell and members of city council in Sault Ste. Marie for their ongoing support and endorsement. Jamie Caicco, who is a councillor in ward one, is the current member from council on the university board. I know he has been very supportive of it as well. Brady Irwin, who is vice-chair of the board, was able to participate in the video link and actually helped to host that event as we, I think for the first time at Algoma University—I'm not sure whether that was the first time we were able to do that at the media studio; I think they had to get some equipment to make that happen. I want to thank them for all their support as well.

As members of the House know, we have made significant improvements in post-secondary education over our term in government. I want to congratulate Minister Milloy on his ongoing leadership when it comes to post-secondary enrolment opportunities, funding and support. We restored grants for students; we have 100,000 more students in our colleges and universities today than we did when we came to government; and we have doubled funding available for student aid to \$1.5 billion—very significant increases and support.

We froze tuition for the first time in the province's history, until we could find the resources to ensure that we move forward in a way that is manageable and affordable for students. I'm very pleased with the support our government has shown for post-secondary institutions. Certainly in my community, Sault College has been a beneficiary of our government, as has Algoma University College.

Certainly this is a historic opportunity for Algoma University College. I am very pleased and so supportive of this legislation. Again, I really want to thank Premier McGuinty, members of cabinet, our caucus and Minister Milloy for their support. Without their support this wouldn't happen.

It's not every day that this happens. The school indicated in 1992 that they wanted to be independent. There were other opportunities to make that occur, and it didn't happen. We're here today to get that job done, that very

important work of moving Algoma University College forward to Algoma University.

I think it's an incredible opportunity, not only for students in Sault Ste. Marie, throughout the district of Algoma and the province, but beyond. I know that the officials at Algoma University College will do a fantastic job of moving forward with Algoma University if the legislation passes.

0940

**Mr. Ted Chudleigh:** I rise to make a few brief comments about this bill.

I'd also like to congratulate the member for Algoma-Manitoulin on the marriage of his daughter and on her graduation. Can grandchildren be far behind?

**Mr. Michael A. Brown:** Another daughter—in two weeks.

**Mr. Ted Chudleigh:** Two weeks?

**Mr. Michael A. Brown:** A different daughter.

**Mr. Ted Chudleigh:** We'll make that point clear: It's a different daughter.

*Interjection.*

**Mr. Ted Chudleigh:** This will be the fourth grandchild. That's a great landmark. As we pass through this life, grandchildren are one of the joys we all will hopefully enjoy eventually. Personally, I have 13 grandchildren, and they keep me very busy, especially at Christmastime and birthday time.

**Mr. Rosario Marchese:** It's a huge issue.

**Mr. Ted Chudleigh:** It's a huge issue: grandchildren and the joy they bring into the lives of seniors in this province.

Secondly, I'd like to congratulate the government on bringing forward this bill to convert Algoma University College into a university. It's important that these educational facilities are there for our future. Ontario has one of the great bases for educating college and university students. Our college system and the expansion of our university system began in the 1960s under former Premier Bill Davis, when he was education minister—a Conservative government, I might add. We grew and expanded our college system and our university system, so that Ontario is perhaps the most well educated jurisdiction in North America. That puts us in a very enviable position to be able to take advantage of wherever the world economy and world business takes us. Having a well-educated population gives us the flexibility to take advantage of where we might go in the future.

I would also put an oar in the water for the expansion of Wilfrid Laurier University, which is currently looking at opening a campus in Milton, which is the fastest-growing community in all of Canada and will continue to be for some time in the future. A large university site—I think it's 150 acres—is hopefully going to be created there if this government sees fit to do some funding in that process. We look forward to that coming to fruition as well.

I'm very pleased to see that the new university will have an economic development program within it. That's very important, because the people of the north, the peo-



ple of Algoma and indeed the people of Ontario should understand that economic development is extremely important in the future of the province. In fact, if this government had understood the importance of economic development, we might not be having the difficulties we're seeing in the manufacturing industry today.

It would seem that this government, in their search for the future in Ontario, has decided that the future of Ontario is based on biotechnology, information technology and digital information—going down that path—which sounds all very well. It's very futuristic; those are the industries of the future. That is what this government has decided, and I take issue with that, because I think that in a well-rounded economy there are many different facets, not just two.

Everything the government seems to be doing is moving down the road toward digital information, biotechnology, information technology and all the futuristic jobs they would bring. I think the theory—of course, in a university you would learn a lot about theory and economic development—that leads the government in that direction is that information is the future and education is the key. Of course, it's focused on two important assumptions. One of those two assumptions is that the price of energy remains low enough in order to ship manufactured products around the world. In an economic development program at the university, you might look for other options and you might look for other opportunities, because perhaps the energy prices in this world are not going to remain as low in the future as they have been. For instance, we're seeing today that the price of a barrel of oil is moving through \$130. A year and a half ago, it was \$40 a barrel. It would seem to me that shipping manufactured products around the world while our manufacturing industry goes through a demise may not take place. Perhaps the death of our manufacturing industry in this province, which the government seems to have accepted, is a little premature.

One of the other key assumptions is that the borders around the world will remain open to trade. Something that we have seen just recently, especially since 9/11, is borders that are far more difficult to cross. Therefore, it would seem to me that the two assumptions that the government is working on have some serious problems associated with them, in that we may not be going in the direction that the government's philosophies perhaps would suggest that the province should be going.

High energy prices, of course, are going to cause a flip-flop in the way the world trades goods. It seems to me that shipping automobiles from China and washing machines and refrigerators from the Orient is very expensive. As energy prices increase, it becomes more expensive and we become more dependent on those items as our manufacturing industry disappears. However, if we look at digital information and information technology, which the economic development part of Algoma University will be teaching, I'm sure—what that would say is that it's far cheaper to ship information technology from the Orient and from India than it is to

ship refrigerators and automobiles. So the flip-flop of what we expect to happen in the future may not happen at all. The flip-flop is that we may be set with manufacturing being the main industry in Ontario in the future, while information technology, biotechnology and all those things that are easily transported around the world become part and parcel of development in the Asian theatre. Those are some thoughts that we might have concerning economic development.

One of the problems that we see here is that when governments make decisions as to what direction a province or a jurisdiction may take, it's extremely dangerous because that government is quite often wrong in their assumptions. Who would have believed a year and a half ago that we'd be looking at \$130 for a barrel of oil, and the consequences that the shipping costs and the disruption of manufacturing sources around the world would be having on us today? Those kinds of things are not necessarily predictable. I think a government's main thrust should be—in economic development and in the care of the provincial economy—to ensure that we have as many options open to us in the future as is humanly possible, making sure that we have the ability to manufacture, we have the ability to be involved in biotechnology, that we have the ability to be involved in information technology and digital information, to have the ability to have a strong agricultural unit, to have the ability to have a strong tourism industry and to have the ability to be in as many different sectors as we can possibly be. We do that through education, through the expansion of universities—such as we're debating here today—and we do that through good economic policy and tax bases that a jurisdiction can offer to industry around the world, so that they can come into this province and be competitive with other industries around the world, rather than a government trying to guide the direction that a province should go in. I consider that to be an extremely dangerous process. Why? Because so often in the past, when governments have tried to do that, they've been wrong. You can look around the world and see examples of government-led economies that have failed and are in poverty today, where they had opportunities in the past.

#### 0950

Government choosing various industries is something that has led to failure in many different areas. I know that in the granting of monies to industry, for instance, this government has given out huge amounts of money to the automobile industry to encourage them to stay in Ontario. They've given money out to the Big Three—Ford, Chrysler and General Motors. Precious little money has been given out to the foreign car companies that have come here and are assembling or manufacturing cars in this country; however, those car companies are increasing in size, and they're increasing their market share. Foreign companies are manufacturing more and more automobiles, and hiring more and more people, while the traditional automobile industry in this country is shrinking. That's a very dangerous situation to be in. When the government inserts themselves into that marketplace,



they do so at great folly; they are supporting companies that may not be here in the future because of their inefficient and traditional ways of doing business. They can't seem to break out of the mould of doing business in the same way today as they've done it in the past.

I thank you for allowing me these comments that have perhaps strayed a little bit from the motion at hand. However, education in this province is extremely important. It is something that is going to dictate our future and should provide for the well-being of our children and grandchildren, which we started out talking about today. I look forward to further debate and to seeing this bill pass, and to this university coming into place. I also look forward to the university coming into place in Milton, as we move down the road in that debate as well.

**Mr. Rosario Marchese:** I'm happy to rise and speak to Bill 80. Welcome, citizens of Ontario, to the parliamentary channel. It's not yet 10 o'clock in the morning. I'm hoping and assuming that you've had your espresso or your regular coffee, and that those of you who like tea have had your tea and that you're steady, ready, willing and happy to listen to the debates in this Legislature—at 9 o'clock in the morning, courtesy of the House leader of the Liberal Party, the Premier and the whiz kids in the Liberal Party. I'm assuming that most of you are at home and not golfing, but if you're golfing, you might be able to catch it later. It's not a big deal.

This is one of those rare opportunities where we get to co-operate with the government and collaborate from time to time. It's a good thing. I was happy to hear the history from the member for Sault Ste. Marie, and I was happy to have respite from the usual oppositional kind of role we play—until the last two or three minutes when he started praising his government about what it does, and then I thought, "Oh, my God. He's provoking me." Right? Because here I am trying to be so nice and trying to collaborate with the government, and then he spoils the 35-, 40-minute speech with what the government is doing. So I asked myself, "Shall I be provoked by that, or shall I simply try to maintain my composure and be nice and avoid that," because this is clearly an occasion to celebrate. It's a bill that speaks to the possibility of a promising new post-secondary education opportunity in this province, and we should be celebrating that.

The member from Sault Ste. Marie gave so much history that makes so many of my comments redundant, but he does make a good point about what Algoma University College does that is unique to education in the north. It's a point that I wanted to point out but I'm glad to repeat it for emphasis, and that is that the school has a special focus on serving aboriginal students and that they offer a BA program in the Ojibwa language. As many of you know, aboriginal people have virtually lost their languages across Canada, which in my view is a tragedy. It's something we should be promoting, supporting. Where many of us think of aboriginal people, of First Nations people, as a nation, they ought to have that privilege and the right to their own language. When you have Algoma University College currently having a BA

in the Ojibwa language, it's a big deal and it's something that should be honoured by those of us who take pride in such things. It is something they're doing that is a unique program and a learning opportunity for many aboriginal kids in the north, and that's something I wanted to make mention of.

It's an opportunity for me to briefly say, as I work with the government on this, that I had the honour of meeting with Bud Wildman, as the chair of the board, and Celia Ross a couple of years ago. I saw the university and some of its programs and was a witness to some of the programming and environment that the university offered. I wanted to remind some of the members in the Legislature about what he told me, because in 1999, their board made a commitment to operating in the black, to steady expansion, to further development of their partnership with the Anishnawbe community and to moving toward independence.

They opened discussions with SET, which is the Shingwauk Education Trust, and established a joint working group of representatives of SET and the Algoma University College to explore avenues of co-operation and to map out directions for the future post-secondary education at the Shingwauk site, especially how they could work collaboratively to bring Shingwauk's vision to fruition. He reminded me about the difficulties and the relationships to be worked out on all sides for all of them: the Algoma University College board, the administration, the senate, faculty, staff, students, alumni, SET, GRFN, Batchewana First Nation and other First Nations organizations, CSAA and the wider community of Sault Ste. Marie and Algoma district.

It's a reminder about how long the process takes from when the discussion begins to the final bill that is before us, that there were difficulties, disagreements that had to be worked out, and many had to be involved in that process. For that, I thank all of the participants. Obviously for my part, I thank Bud Wildman, the chair of Algoma University, and the dean, Celia Ross, for their efforts and their work over the years. I know that the government members smile when I thank Bud Wildman in particular, but he has been the chair for many years.

**Hon. George Smitherman:** What was that name again?

**Mr. Rosario Marchese:** Bud Wildman. He has been the chair of the board for many years, since 1999. The government members have already thanked themselves and thanked us too, and I already said I'm happy to collaborate with the government on this bill, so we are all in this together. This is true.

I wanted to remind the folks that a covenant was signed in a very impressive and emotional ceremony at the GRFN by Grand Chief Phil Fontaine of the Assembly of First Nations, SET president Darrell Boissoneau and Bud Wildman, who was representing the AUC board, before representatives of residential school survivors, national and Ontario aboriginal organizations, members of the Batchewana First Nation, the GRFN and the AUC community in Sault Ste. Marie. It was an impressive ceremony where this covenant was signed.



The work has been done. There are obviously many challenges they will be facing and some of those challenges will be the work to reach out, to recruit many other students across Ontario and Canada, which I'm convinced they will do and they will do successfully. Many other challenges we'll have will have to do with funding. We are hopeful, based on the comments made by the member for Sault Ste. Marie, by the minister himself, that whatever funding is necessary for this university to work will be provided, because if it is not provided, they will be in difficulties. That's a challenge they face and I'm hoping it's not a challenge the government will face in providing the support. If the support does come, then this university has a lot to be proud of, and the government too, because, after all, it's their bill. They can take credit for all of the years of work done by so many, including themselves, presumably, based on what I hear. So we can all, in the end, take credit.

I'm hoping that the support will be there, and with that, I end my remarks and congratulate all who have been involved in bringing this bill forward.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

Seeing none, Mr. Milloy has moved third reading of Bill 80. Is it the pleasure of the House that the motion carry? Carried.

*Third reading agreed to.*

**The Acting Speaker (Mr. Jim Wilson):** Be it resolved that the bill do now pass and be entitled as in the motion.

**Hon. David Caplan:** I seek consent for the House to recess until 10:45 a.m.

**The Acting Speaker (Mr. Jim Wilson):** Agreed? Agreed. We're recessed until question period.

*The House recessed from 1002 to 1045.*

## INTRODUCTION OF VISITORS

**The Speaker (Hon. Steve Peters):** Good morning, members. Good morning, guests.

On behalf of the member from London North Centre: in the east members' gallery, we'd like to welcome Janet Collins and Celia MacDonald.

On behalf of the member from Hamilton East-Stoney Creek: in the west members' gallery, John Hall from Kamloops, BC; Karen Cerniuk from Kamloops, BC; and Larry Bancroft from Kamloops, BC. They're here visiting the Canadian Labour Congress convention.

On behalf of the member from Brampton-Springdale: Richard Boyes, president of the Ontario Association of Fire Chiefs and the Oakville Fire Chief; and Chris McDonough, president of the Ontario Municipal Fire Prevention Officers Association and fire prevention officer of the town of Georgina.

On behalf of page Dina Gang: her mother, Yaffa Gang, and her father, Barry Gang, in the west members' gallery.

On behalf of the member from Richmond Hill are a number of guests joining us today: Faheem Khan, Khalid

Qureshi, Lal Khan Malik, Naseem Mahdi, Abdul Aziz Khalifa, Kaleem Malik, Aslam Daud, Asif Khan, Farhan Khokhar, Nasir Khan, Ashraf Sial, Tanya Khan, Qudsia Hamid and Amtul Rafiq Zafar.

On behalf of the member from Sarnia-Lambton, in the west members' gallery: Ron and Jean Bell, Jim and Nancy Hibbert, Larry and Sharon Watson, Ken and Christine Jaques, Bruce and Marg Gray, Gary and Dolores McGregor, Rick and Shirley Redmond, Jim and Bev Maitland—hi, Jim and Bev; friends of mine—Gerald and Edith Bailey, Mike Watson, Bill Allingham, Gord and Bernice Whiting, and Ernie Williams.

As well, I'd like to ask all members on behalf of the Speaker to welcome in the Speaker's gallery today a delegation from the Republic of Latvia, led by His Excellency Gundars Daudze, the Chairman of the Parliament. Accompanying the delegation is His Excellency Margers Krams, ambassador of the Republic of Latvia to Canada. Please join me in welcoming them and our other guests as well. Welcome today.

## ORAL QUESTIONS

### INFECTIOUS DISEASE CONTROL

**Mrs. Elizabeth Witmer:** My question is to the Minister of Health. For several years now, you have been travelling the province and touting your interest in building public confidence in Ontario's health system. However, your actions in recent weeks—in fact, your actions during the term of your office—when it comes to dealing with infectious diseases such as *C. difficile* indicate that there is tremendous doubt and concern in the minds of the public, rather than any confidence whatsoever. I ask you today, are you prepared to restore public confidence in our health care system and implement an investigation into *C. difficile*?

**Hon. George Smitherman:** The matter of *C. difficile*, amongst other infectious diseases, is a substantial matter for the health care system. I just don't tend to agree entirely with the premise of the honourable member's question, which places all of the expectations of the public on the back of the minister at Queen's Park.

We share in a health care system that has not performed as well as it can. On that, everybody would agree. I agree that this is a matter of confidence, most certainly. I think that the actions that have been taken, which have been responded to positively by the health care system and especially the hospital sector, are a very big advantage for patient safety initiatives in Ontario. I have confidence that Dr. Baker can lead Ontarians forward in a way—the health care system and patients alike—that enhances the requisite confidence in our public health care system. Those are the steps we're focused on.

1050

**Mrs. Elizabeth Witmer:** Despite the warning you got when the *C. difficile* outbreak occurred in Quebec, despite



the recommendations of the Canadian Medical Association to develop an outbreak plan and to deal with it, and certainly despite what happened in the Soo, you have failed to protect people in the province of Ontario. As Minister of Health, you are accountable to protect the health of the people.

I ask you again, are you prepared to instigate a public inquiry now, an investigation into what happened, in order that we can restore public confidence in Ontario's health system, which is currently sadly lacking?

**Hon. George Smitherman:** I would say, just on the matter of confidence, that the honourable member is not the only arbiter of this kind of circumstance. Indeed, 650,000 more people in Ontario have access to a family physician. This is an ingredient of confidence in our health care system, and I don't think it's appropriate for the honourable member to conclude that only one matter is the determinant.

I know that we can do better and we have to do better. Where the honourable member is a little bit off base is when she speaks about circumstances in Quebec as if that is a warning to only one individual and that the CEOs of hospitals that have experienced challenges with C. difficile, as an example, or the chiefs of staff or the workers in those environments don't share the health system obligation to do our very best for our patients. I know that we can do better. We have all the opportunity, through the investigation that has been done by the coroner, through the work that's been done by doctors like Dr. Gardam, to implement their best advice and to have immediate effects for patients. That's what I'm—

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary.

**Mrs. Elizabeth Witmer:** The member seems to forget that this is a very tragic and very sad situation and that these deaths were preventable. I believe that we owe it to the people whose family members have passed away and to the people who are going into our hospitals to ensure that we have all of the information as to what happened and why.

Yesterday you indicated that we were going to do reporting, but what you didn't indicate was the plan to ensure there are no more of these preventable deaths. That's why I call upon you again, Minister. Will you commit to an investigation, an inquiry, into C. difficile in order to ensure that we know why this happened and make sure that no other family has to suffer in the future?

**Hon. George Smitherman:** I note that even your staff are clapping on the sidelines.

I think that the honourable member and I have disagreement on one point. It's not that anyone questions that these are challenging circumstances and tragic events for families and communities. It's not that there aren't lessons that can be applied, but it is that we have the lessons at hand. The honourable member's approach is to take a few years, appoint some lawyers and spend a lot of resources on these considerations. Ours is much more clearly to put in the hands of Dr. Michael Baker, an accomplished leader in this field, the capacity to begin

implementation of strategies that can have effect much more immediately.

I agree with the honourable member. This is a very challenging circumstance. It's a health care system circumstance that requires a response across the breadth of health care. We're going to lead that, and Dr. Michael Baker is going to be a very effective advocate on behalf of patient safety in the province of Ontario. Our strategy is about immediate benefit.

#### INFECTIOUS DISEASE CONTROL

**Mrs. Elizabeth Witmer:** Minister, you have had almost five years to lead and demonstrate that you are prepared to tackle issues such as C. difficile. You had the ability to restore public confidence, and you haven't done so. Right now, there's doubt and concern. You called upon us to do an inquiry into SARS when 44 people died. We now know that at least 270 people have died, and as I said yesterday, if you extrapolate, it could be 5,000.

I call upon you today to give peace of mind to the family members whose loved ones passed away. Make sure that no more deaths occur in the future which we know are preventable. Call an investigation in order that we have a plan to save lives in the future.

**Hon. George Smitherman:** I do want to say to the honourable member, firstly, I think that her continued insistence on this suggestion that we've only now, as a health care system, been aware of C. difficile is not the appropriate circumstance. The events in Quebec are a lesson for everyone. That's why I think it's important to acknowledge that those who are on the front lines of health care, who have the responsibility for running health care organizations, also bear responsibility for implementation.

Dr. Richard Schabas, a former chief medical officer of health, on CHCH, recently offered the following: "I'm not sure a public inquiry is necessarily the next logical step. They often make for good theatre, but they don't get us where we need to go, which is to address the problem in a vigorous and effective way."

I think, largely, we already know what the underlying problems are with C. difficile. We're going to work under the leadership of Dr. Baker to make sure that all hospitals are applying those things that we already know, to the immediate benefit of the patient.

**Mrs. Joyce Savoline:** What the coroner's report of over a year and a half ago proves is that this government has done nothing since that report came out to prevent further outbreaks and, certainly, to prevent further deaths.

In the Hamilton Spectator on Saturday, there was a description of what people go through when they die of C. difficile, and I'd like to read that. They are "mired in feces, suffering constant diarrhea, in pain and withered away except for grotesquely bloated stomachs."

That's what happened to Jack Elliott, who went into hospital for knee replacement surgery.

Jack's wife, Dorothy Elliott, and his daughter, Fern Merchant, are here today. Mr. Minister, will you commit



to Jack Elliott's family today that you will call an immediate province-wide inquiry—

**The Speaker (Hon. Steve Peters):** Thank you, Minister?

**Hon. George Smitherman:** I do want to extend to this individual family and to any family in the province of Ontario that has had an involvement with the health care system that hasn't been as positive as it possibly can be, that have suffered this kind of a loss—we share in the burden, on behalf of those individuals, of doing better work.

The matter at hand is the difference in approach between that which is proposed by the opposition party—an inquiry which would take a very substantial amount of time—and our approach, based, as an example, on Dr. Richard Schabas, who said in his quote that we have the information that we need to do a better job for our patients related to C. difficile and other infectious diseases and patient safety risks in our hospitals. Our strategy is to implement reporting which is rigorous and mandatory and which will place a very, very strong emphasis on these challenges. I think that this is the approach, in the name of those who have suffered and struggled—

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary.

**Mrs. Joyce Savoline:** It would be my hope that the ministry has the depth to accomplish all those tasks at the same time and that we don't just have to do one after the other, so the investigation can go on to teach us about how to prevent these things into the future while we're working on preventing deaths in the current time.

A year and a half ago, the coroner's report said that we should be doing certain things. Not all those things have been implemented, and people like Jack Elliott continue to die unnecessarily. Jack's family deserves to know why. Minister, will you look Jack's family in the eye today and tell them that an immediate investigation will take place province-wide?

**Hon. George Smitherman:** Firstly, I'm not sure where the family is sitting, but as I had a chance to say a moment ago, our sympathy is with those in the circumstances.

You're not calling for an immediate inquiry. You're calling for a method of inquiry which is, by its nature, not immediate at all, and that is the central piece. You keep referring to the coroner's report, but the coroner's office themselves said they do not see the advantage of further inquiry because, like Dr. Schabas, they believe that we have the information that we need and that hospitals, including the hospital in Burlington, have the information that they need to implement strategies and policies which are more effective.

Our strategy is to work on relentless implementation, with mandatory reporting that will dramatically enhance the transparency associated with patient safety risks in our hospitals, under the leadership of Dr. Baker. This will produce the most important, beneficial and timely results for the patients in the province of Ontario. This is the

way to act in the name of those who have succumbed to circumstances associated—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

1100

## MANUFACTURING JOBS

**Mr. Howard Hampton:** To the Deputy Premier: This morning, we learned that Canac Kitchens Ltd. is closing its Thornhill plant, which will result in the destruction of another 1,000 manufacturing jobs. This is added on to the over 100,000 manufacturing jobs already lost in the greater Toronto area over the last three years.

My question is this: With manufacturing job loss announcements coming on almost a daily basis, why does the McGuinty government continue to refuse to implement the policy tools that have been so effectively put in place in other jurisdictions to help sustain manufacturing jobs?

**Hon. George Smitherman:** To the Minister of Economic Development.

**Hon. Sandra Pupatello:** I do appreciate this question, because I know the people of Thornhill have had this company in their community for 41 years, and we're very sorry to see its demise with this announcement today.

What I can tell you is that we have had a number of fronts coming forward to help our manufacturing sector; this, in the face of a lineup of challenges that our manufacturing sector has never seen before. We all know that the dollar is stronger than ever, that oil is extremely expensive—all of these factors, and then on top of those, an American market that is not as strong as we would like. With this comes a budget from our government that puts cash on the table for our manufacturers—\$190 million in last year's budget initiative alone, some of which is retroactive to the year before—so that we can help with this kind of investment that companies need to make to be more productive, to face these challenges.

I look forward to the supplementary so that we can speak to some of our other initiatives.

**Mr. Howard Hampton:** The Canac jobs are leaving, going to the United States.

The fact of the matter is that jurisdictions like Manitoba and Saskatchewan, which equally have to face a low-value American dollar and equally do not have their own sources of oil, are in fact doing a much better job than the McGuinty government in Ontario in sustaining manufacturing jobs. Manitoba is adding manufacturing jobs as hundreds of thousands of them leave Ontario. What's the difference? Manitoba has implemented a refundable manufacturing investment tax credit. Quebec has implemented a refundable manufacturing investment tax credit. Both jurisdictions see the wisdom of a reasonable industrial hydro rate, while the McGuinty government drives the industrial hydro rate through the roof.

I say again, when is the McGuinty government going to start implementing policies to sustain manufacturing jobs rather than killing—



**The Speaker (Hon. Steve Peters):** Minister?

**Hon. Sandra Pupatello:** To follow this member's logic, you would think that those jobs in fact would be moving to Manitoba or Quebec. That is not the case. This company also has a factory in Statesville, in the US, and they are consolidating their operations to that site.

As we say, every time we hear news of this, we recognize the stress it causes families. That's why families expect our Ontario government to come forward with real solutions for companies to see to a brighter future. That means us stepping forward collectively and every member of this House being supportive of initiatives like our advance manufacturing strategy, like our Next Generation of Jobs Fund. Every time we've brought forward these initiatives, this particular member has voted against them. Every time we've have a budget that has put cash in the hands of our manufacturers to see them through these struggling and challenging times, these members opposite have voted against these initiatives.

I say again, when it comes to manufacturing, we plant our flag—

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary.

**Mr. Howard Hampton:** I would say that under the McGuinty government, the flag is barely flying at half-mast and dropping every day.

The minister says these jobs are simply being consolidated. The fact of the matter is, these jobs are moving to a jurisdiction which has a manufacturing investment tax credit. These jobs are moving to a jurisdiction where a reasonable industrial hydro rate is guaranteed by the jurisdiction, something that you cannot find in Ontario any more. Jobs are moving to jurisdictions like Manitoba, which is now selling state-of-the-art, energy-efficient buses into states like California, New York, Illinois and elsewhere because they've had the wisdom to implement some of these policies.

These were good-paying jobs at Canac—\$30 an hour. When is the McGuinty government going to stop holding photo ops and start—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. Sandra Pupatello:** Everything this member has just tabled is patently wrong. He's just incorrect. When we talk about energy prices, we know that there's a challenge across North America, but our competing jurisdictions in manufacturing—those same jurisdictions—have higher prices than Ontario. What you have tabled today is just inaccurate, and you need to be called on the carpet for this. Just because you say it's so does not, in fact, make it so. You're just wrong.

What we are facing is a slowing of the US economy. That is absolutely going to affect a company like Canac Kitchens, which makes products for the housing market. The housing market in the US has slowed, and we know this. It affects lots of our businesses that are involved in housing products.

What we know is that we are committed to our manufacturers. We are stepping forward in innumerable ways

to help make investments so that they will be more productive—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. New question.

**Mr. Howard Hampton:** The only thing that is inaccurate around here is a McGuinty government that boasts about manufacturing jobs as they leave Ontario in droves virtually every day.

## ABORIGINAL RIGHTS

**Mr. Howard Hampton:** To the Deputy Premier: I want to ask the McGuinty government about its latest flip-flop. In the Court of Appeal yesterday, two months after requesting that the Kitchenuhmaykoosib Inninuwug leadership be hit with penalties that hurt, suddenly, the McGuinty government reversed their position. The judges thought it was almost humorous. In fact, they commented on it. I want to ask this: Instead of forcing grandmothers and respected First Nation leaders to spend two months in jail, why didn't the McGuinty government use the tools at your disposal, use section 35 of the Mining Act to declare that the disputed lands were not subject to mining exploration, and save everybody the embarrassment?

**The Speaker (Hon. Steve Peters):** Deputy Premier?

**Hon. George Smitherman:** To the Minister of Aboriginal Affairs.

**Hon. Michael Bryant:** I was given this on the front lawn, by the way. I want to thank the people who provided this.

*Interjection.*

**Hon. Michael Bryant:** It wasn't meant that way; it was meant rather to respect the wishes of somebody who provided it to me. Anyway, Speaker, I apologize.

I do want to say to the member that on this National Day of Action, it is one where, obviously, there's a particular focus on the federal government. Those have been the wishes of the national chief, Phil Fontaine, and the comments of a number of chiefs across Ontario. It's not to say that provincial governments don't take the opportunity to take stock of what has been done and what has to be done to make improvements. We have a long, long way to go. This government is very committed to making the changes in partnership with First Nations and Metis and Inuit people that will see improvement in the months and years to come.

**Mr. Howard Hampton:** As the judges pointed out, there's a big difference between the McGuinty government's position of asking for "hurt" two months ago and then, when forced to fess up yesterday, asking for "reconciliation."

The point is, the whole exercise—the jailing of great-grandmothers, the jailing of innocent First Nation leaders, having to go through the courts and spending millions of dollars in legal fees—could have been avoided by the McGuinty government simply using section 35 of the Mining Act and saying, "These traditional First



Nation lands will not be subject to mining exploration or mining development.”

I think the McGuinty government owes an explanation to those innocent people who spent two months in jail, to that innocent great-grandmother who spent two months in jail. Why did the McGuinty government not use section 35 and exempt the lands? Why did you use a process that sent innocent First Nation leaders to jail?

**Hon. Michael Bryant:** The member knows very well that what he's saying is contrary to all the facts that have been presented in this House and in the court, that the government of Ontario took the position from the beginning that incarceration was wrong and ought not to happen. The appeal was expedited because the province brought a motion to expedite the appeal. The province continued to take the position in court that the appeal should in fact take place and that the chief and council ought to be freed. That's exactly what happened, and any suggestion otherwise by the leader of the third party—he knows that this is not the case and is inaccurate. But the point is that we know in the long term it's not just about sitting down with First Nation leaders and trying to negotiate agreements where there are conflicts; it's also about making changes to the Mining Act that will see those changes that we're all in agreement have to take place, and this government is moving forward in doing so.

1110

**Mr. Howard Hampton:** The McGuinty government likes to throw around the word “inaccurate,” so I want to quote from the judges. “The words ‘hurt’ and ‘reconciliation’ are total opposites,” Mr. Justice MacPherson said. Further coverage: “The suggestion by government lawyer ... Wilson elicited much confusion on the part of the three-judge appeal court panel and some laughter among those in the packed courtroom.” I think it's pretty clear who is being inaccurate.

The fact of the matter is, an innocent 58-year-old great-grandmother spent two months in jail. Innocent First Nation leaders, who were merely trying to protect their traditional lands, spent two months in jail. Why? Because the McGuinty government refused to use section 35 of the Mining Act to simply say, “These lands will not be subject to mining exploration and mining development.” The McGuinty government chose a path which resulted in the jailing of innocent First Nation leaders—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. Michael Bryant:** The member is just making all that up, Mr. Speaker. He's making it up in the context of—

*Interjections.*

**Hon. Michael Bryant:** He knows very well how section 35 works. He knows very well that the crown took the position at both levels of court that incarceration ought to take place. He wants to suggest that the crown did not take the position that it did, that it opposed incarceration. But the National Day of Action is not just about what happened yesterday—which was the good

result, but that frankly never should have been before the Ontario Court of Appeal because it never should have happened in the first place; the member and I are in agreement on that—it is about those changes that need to be made. First Nations' leadership has said that the primary reforms have to take place in Ottawa. That's why the leadership is there, and we agree with that leadership.

**The Speaker (Hon. Steve Peters):** Stop the clock, please. I'd just ask the honourable member if he would withdraw the comment that he made in the opening of his answer, please.

**Hon. Michael Bryant:** I withdraw.

## MANUFACTURING JOBS

**Mr. Peter Shurman:** My question is for the Minister of Economic Development and Trade and it deals with the latest example of how this government lacks leadership in manufacturing. After 41 years of operation, the Canac kitchen cabinet plant in Thornhill, as we have already heard this morning, is closing its doors and moving production to a facility in North Carolina. This closure represents a total loss of 1,000 manufacturing jobs in my riding of Thornhill, a riding that already has precious little in the way of manufacturing. These were good-paying jobs within a reasonable travel time for employees. I doubt there is a member in this chamber who did not at one point have Canac cabinets in his or her kitchen. Those days are over.

Will the minister accurately tell this House when the people of Thornhill and the people of Ontario can expect the McGuinty government to wake up and take real action to save our manufacturing sector?

**Hon. Sandra Pupatello:** Once again, to the people of Thornhill, we do regret that Canac has taken this decision to consolidate its manufacturing base out of its own factory in the US. We know that these are challenging times for the manufacturing sector. We recognize that last year they also laid off 600 employees. I wish that this member would have been so forthcoming a year ago, when 600 had been laid off. Maybe that would have changed how he voted in this Legislature for initiatives that are here to help manufacturers in this province. Last year's budget was a perfect opportunity for this member opposite to show support for the manufacturing sector in this province.

We are working with our manufacturers. We recognize the challenges they face, and at least this is one government that will be behind them with more initiatives to come.

**Mr. Peter Shurman:** Okay, I guess it's my fault.

This is yet another symptom of this government's failure to manage Ontario's economy, a failure that resulted in the loss of 15,000 jobs last month alone. One thousand jobs in Thornhill were lost from Canac as of yesterday; 15,000 lost last month, 50,000 over the past year and 207,000 since 2004.

This government claims it is leading Ontario? The only place it's leading Ontarians is into the unemploy-



ment line. Will the minister finally admit that this government's only plan to stimulate this economy is to close its eyes, cover its ears, click its red shoes together and wish the problem away?

**Hon. Sandra Pupatello:** I will say this: that Ontario-wide we have seen over 450,000 net new jobs, and 450,000 net new jobs is something that every member in this House should be proud of. We recognize that within the manufacturing sector we are seeing challenges the likes of which we have not seen before.

That is why we continue to call on our federal counterparts to help us in this matter, so that when it comes to our manufacturers, the very sector that has fed the nation for decades now—and we, above all other sectors in manufacturing, see the strain of a high Canadian dollar, see the strain of a high price for a barrel of oil. That's when we need our partners to come to the table with us.

In the meantime, we expect every member of this House to vote in favour of initiatives that are here to help manufacturers. That member from Thornhill is included. We're going to watch your vote in the future on—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. New question.

#### DRIVER LICENCES

**Mr. Gilles Bisson:** My question is to the Minister of Transportation. Minister, I raised in this House two days ago the issue of a person who had received a lifetime ban from driving as a result of a tragic accident where four people were killed. The individual went to jail and on coming out of jail went and applied for another driver's licence.

Your answer was, "Because there was a wrong date of birth, the person was wrongly issued a driver's licence." Could you tell me—and you can tell everybody else—why it is that MTO doesn't check basic things like a person's last and first name, a person's address, or any other information that might be inside the database to prevent something like this from happening?

**Hon. James J. Bradley:** What the member doesn't understand—that's because I understand you wouldn't have all the information—is that there were—

*Interjection.*

**Hon. James J. Bradley:** The member for Oxford is interjecting. He should worry about day trading at Agricorp, not about this question.

Back to the member himself: There were two records which were created. That was the problem, the ministry officials have informed me. As you know, the person does not have a licence at this time.

This is an aberration. They do very thorough checks. There are rare occasions when these things happen. We are taking specific action that I'll deal with in the member's supplementary. I'll deal with the specific actions the ministry has taken to try to avoid these kind of circumstances. Even though they may be rare, any instance—I think you will agree with me—where this

can happen is not acceptable. That's why the ministry is working hard with other ministries to try to—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary.

**Mr. Gilles Bisson:** I don't think, Minister, that it's as rare as you make it out to be. You would know, as well as I do, that the CPIC database, which is the criminal database that's run by the RCMP, doesn't flag to the MTO database any criminal convictions. So somebody could be charged for an offence under the courts, it could go to the CPIC database, but there's no flag back to the MTO database.

The only reason we caught this person is because he was charged criminally and was listed in the CPIC database. That's how we found out. So I go back to you and I say again, when are you going to fix the provincial database to make sure that we have some kind of a flag between the CPIC database and there's a proper search done with the information that resides in the MTO database to stop this from happening again, because it will?

**Hon. James J. Bradley:** First of all, we do not control the CPIC database. We don't control that.

We have created a convictions records improvement committee with representatives from the Ministry of Transportation, Ministry of the Attorney General, the police and the courts. We've raised this issue with members of the committee and have expressed our concerns, just as the member has. We're also raising this issue on an ongoing basis.

System improvements have been put into place to ensure our records' accuracy. Once an electronic record is received, the MTO database does a search to add this information to the record. If a record is not found, a message notifies staff. Staff then perform a manual search in an attempt to eliminate any errors. If a record still isn't found, staff ask the court or respective police officer for more information. The ministry is considering the implementation of leading-edge security enhancements such as photo comparison technology which will help address fraud and identity issues.

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#### MUNICIPALITIES

**Mr. Jim Brownell:** My question is to the Minister of Municipal Affairs and Housing. While our government believes in working with municipal governments to ensure that the people we both serve, the people of Ontario, have access to the best possible quality of life, not every government has felt the same way. The official opposition's great legacy when they were in government was to download services to Ontario's municipalities without providing the means to finance them.

We have moved to correct this imbalance through measures such as the uploading of 50% of land ambulance and the uploading of ODSP and ODB. This is important. In 2006, the Premier also promised a complete review of the way service delivery is funded. This is a



long-overdue measure to right the wrongs imposed by the last Tory government.

But there is some concern among the communities in my riding of Stormont–Dundas–South Glengarry that the Provincial-Municipal Fiscal and Service Delivery Review is somewhat overdue. Could the minister tell us how the review is progressing, and when we can expect to see the results?

**Hon. Jim Watson:** I want to thank the honourable member from Cornwall. I know he has a delegation from Cornwall with us again today, and I very much welcome them to the Legislative Assembly.

I'm very proud of the work that the Minister of Finance and I are doing, in partnership with the city of Toronto and AMO, on the Provincial-Municipal Fiscal and Service Delivery Review process. We're certainly on target to have this very important body of work completed in the next couple of months, well before the AMO AGM that will take place later this summer. We want to get it done on time, but we also want to get it done right.

Many of us who served in municipal government remember that a similar process was followed by the previous government. We remember Premier Harris telling AMO that the downloading and the realignment of services would be revenue-neutral, pinky-swear. We all remember when he said "pinky-swear." It was never revenue-neutral; that was proven and—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary.

**Mr. Jim Brownell:** I want to encourage the minister to get it right for the municipalities of Stormont–Dundas–South Glengarry and all of Ontario. It is important for all levels of government to work together to benefit the people who truly matter: the constituents whom we all serve. Hopefully, this is not lost on our federal counterparts and they will begin to work with us to strengthen Canada's municipalities, potholes and all.

One item that was to be reviewed was the matter of compensation payments that municipalities, like Cornwall in my riding, receive annually in lieu of taxes for hydroelectric stations on their land. I was proud to work with the former Minister of Finance to ensure that this was included in the review. Again, could the minister tell us if the city of Cornwall can expect some good news in this regard when the results of the Provincial-Municipal Fiscal and Service Delivery Review are released?

**Hon. Jim Watson:** I want to commend the honourable member, plus the mayor of Cornwall, His Worship Mayor Kilger, with whom we have a good working relationship. We understand that this particular issue is very important to the city of Cornwall and to the member's community. It's one of the reasons why this issue is before the fiscal architecture table of the review. We have a number of working tables that are working on a number of issues, and this issue is before that particular table.

Obviously, because we're still in the midst of negotiations between AMO and the city of Toronto, we want

to ensure that the issues remain confidential until we come forward with our consensus report. But I'm very optimistic that we have turned the page on the downloading and the negativity of the previous government, moving forward in a spirit of co-operation and consultation with the municipal sector, because we respect them as equal partners in the relationship to build a better and stronger Ontario.

## CASINOS

**Mr. Frank Klees:** My question is for the Attorney General. Last Tuesday, CBC News reported that the RCMP in Ontario believe that criminals are using Ontario's casino system to launder the proceeds of crime. To prove how easy it is, CBC News members pumped \$15,000 into slot machines, cashed out the vouchers, and left with legitimate casino cheques. No questions were asked, no follow-up, not even a friendly inquiry as to the suspicious conduct. Can the Attorney General advise the House if he has ordered an investigation into this illegal activity that's taking place in our casinos, and if not, can he explain why he's turning a blind eye to criminals using Ontario's casinos to do their business?

**Hon. Christopher Bentley:** As the member would know, investigations into alleged illegal activity are conducted by the police. We don't direct the police. This government doesn't direct the police. We've taken a very strong stand with respect to security in the province generally. With respect to security in casinos in particular, I wouldn't comment on any specific case. Again, we don't direct the police, and the proper direction for my colleague's question and for the supplementary I suspect will be the minister. I'll wait to hear the supplementary.

**Mr. Frank Klees:** This is not a recent development. The first test of the OLG's launder-your-money game was conducted on December 1, 2005, at Casino Rama. The OPP's David Crane, who now heads the enforcement arm of the Alcohol and Gaming Commission, said that this kind of activity should have triggered concerns in the casinos. In fact, he said it should have set off alarm bells.

I would have thought it would set off alarm bells with the government, with the Attorney General, with the minister responsible. Not only have there been no alarm bells, according to FINTRAC, suspicious reports from Ontario casinos have actually dropped from 330 in 2002 to 84 last year.

Margaret Beare, a York University criminologist, said that what's happening here is basically a culture of preferring profit over enforcement. My question is this: I'm not asking the Attorney General to direct an investigation. I'm asking—

**The Speaker (Hon. Steve Peters):** Thank you. Attorney General?

**Hon. Christopher Bentley:** That was the very beginning of your first question, of course. You wanted to know whether I had launched an investigation. Of course, the police investigate alleged criminal activity. If you



have additional information, you should get right down to the OPP. They work very closely with the casino security and the RCMP to fight money laundering. They serve at AGCO's investigation enforcement bureau. There's information sharing across jurisdictions, federal FINTRAC database collects information for use by law enforcement and—

#### *Interjections.*

**Hon. Christopher Bentley:** Contrary to the heckles from the other side, there's a great deal of co-operation between enforcement units federally, provincially and across the border. So these are just some of the ideas. Casinos must comply with federal regulations to fight money laundering, including mandatory reporting, compliance officer, background checks; there's a lot going on. But again, if the member has additional information, get right to the OPP.

### PUBLIC HEALTH

**M<sup>me</sup> France Gélinas:** Ma question est pour le ministre de la Santé et des Soins de longue durée.

Medical officers of health are crucial to the protection of public health in Ontario, so important that yesterday the minister finally announced that hospitals will be required to report C. difficile to their health units so that "medical officers of health have the information they need to monitor and respond to emergent outbreaks."

Why, then, six years after the Walkerton inquiry recommended that vacant medical officer of health positions be filled expeditiously with full-time candidates, are one third of Ontario medical officer of health positions vacant, part-time, temporary or acting?

**Hon. George Smitherman:** I do want to thank the honourable member for her question. Indeed, it's a good one. This proves to be a substantial challenge in the health care system in Ontario as there are unequal resources because some public health units are larger than others. We're working to enhance the capacity of schools of public health to create the kinds of candidates who would do well in the environment, which requires, of course, strong epidemiological backgrounds and good administrative capabilities, given the size of the health units. We've more than doubled public health funding in the province of Ontario in the last four years, in response not just to the challenges associated with Walkerton but others that have been there. We're continuing to work with public health units in evaluating the review of work that's been done that suggests that perhaps consolidation of some of the public health units may be necessary over time.

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**M<sup>me</sup> France Gélinas:** The Ontario Medical Association has said that the lack of full-time, fully qualified medical officers of health poses an enormous threat to the health of Ontarians and that a single dysfunctional health unit could incubate a nationwide epidemic.

The minister says that hospitals will report outbreaks so that the Minister of Health can monitor and respond.

He says that he will look in the future to the consolidation of health units and building strength. I hope we will include health promotion within the list of qualities that the medical officer of health should have. But what kind of reassurance is this to Ontarians right now, when there is a third of health units that continue to lack the leadership of a medical officer of health? Where is the reassurance?

**Hon. George Smitherman:** Substantial reassurance should come from the fact that in each of these public health units there is an acting chief medical officer of health who has a good deal of capacity to be able to address the circumstances that the honourable member speaks to.

We're working hard to create more of the kind of candidates who would do well in these leadership roles. We've created bursary programs that allow acting medical officers of health to do the necessary transitioning so that they can become permanent in those functions. We've announced, through our health human resources strategy, HealthForceOntario, the capacity to create more opportunity for foreign-trained professionals to transition into these roles and have allocated funding for up to five physicians who wish to pursue specialty training in community medicine or an equivalent, which is a master's in public health.

The obvious is there. There are vacancies, of course. They're filled by acting chief medical officers of health, and work is being done to increase the number of people who would be suitable candidates for these roles on a permanent basis. These steps, alongside—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. New question.

### AGRICULTURE INDUSTRY

**Mrs. Maria Van Bommel:** My question is for the Minister of Agriculture, Food and Rural Affairs. As you know, the supply-managed sector of our agriculture industry has proven itself to be an effective way of ensuring that farmers earn a stable and profitable income. For years, FarmGate 5 has proven its ability to provide the high-quality products Ontario consumers demand at a fair return to farmers.

I've been following the World Trade Organization agricultural negotiations in Geneva very closely and with great concern in recent months. Dairy, egg and poultry farmers in my riding of Lambton-Kent-Middlesex are truly worried by reports that Canada's supply-managed sectors are at risk because the latest negotiating text presented at the WTO does not provide the necessary flexibility to accommodate all our supply-managed sectors. Could the minister please bring this House up to date on what's happening at the WTO agriculture negotiations?

**Hon. Leona Dombrowsky:** I am happy to have the opportunity to share with all members of the House. You may recall, in December 2005, that all parties in this Legislature did support a motion that the province of



Ontario would remain very strong in supporting supply management. As a result of that we have, I think, staked out some pretty clear ground with respect to our position nationally as well as internationally.

We're very pleased with the progress in some of the sectors, particularly as it relates to aggressive tariff reduction formulas, as well as the reduction and elimination of export subsidies. We are, however, concerned with the most recent text of modalities that have come from the WTO that would impact sensitive products.

Again, because we've had the resolution in this Legislature, we can say that the province of Ontario is stalwart in our commitment—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary.

**Mrs. Maria Van Bommel:** It's important for our government to hold the federal government to account on this important issue. Canada and the province of Ontario have a strong interest in moving fairer trade policies forward for agriculture. Farmers in my riding tell me that we want a level playing field, and this means assurances that there will be meaningful cuts to US and European Union subsidies.

It does concern me, however, that with the stroke of a pen the federal government could negotiate supply management away. At a recent MP-MPP meeting in Lambton County, local representatives of the supply-management sector repeated the call for both the provincial and federal governments to continue defending the interests of those farmers dependent on supply management. They told me that there can be no federal plan B.

Could the minister please tell this House today what our government is doing to protect the interests of the supply-management sector?

**Hon. Leona Dombrowsky:** Obviously, again, the member is a very strong advocate for her constituents and for supply management. We thank you for that.

But with respect to the issue that has been raised, in February, the two ministers of the province of Ontario and the province of Quebec did issue a joint release to say that we urge the federal government to make this very clear: Supply management was to remain intact as we know it today.

Just last week again, after the most recent text had been released, the minister from Quebec, Laurent Lessard, and I issued another joint release making the point to the federal government that we need to remain strong in terms of protecting supply management. We have followed that up with a letter to the federal Minister of Agriculture on this very issue. Tonight, in the city of Toronto, agriculture ministers from across Canada will be meeting in this city—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Ms. Sylvia Jones:** My question is for the Minister of Health and Long-Term Care. Last week, I met with a

family in my riding that I'm trying to help, who are caring for their three children, all of them diagnosed with a rare genetic chromosome imbalance that leaves them with high medical needs. All three require care, with the youngest in need of constant monitoring and care throughout the night.

Before the boundary changes, CCAC provided overnight respite care, allowing their parents to attain much-needed sleep. While the case managers agree with the need for overnight nursing care, in 2008 they have had to go without 80 hours per month. While the CCAC has done the assessment and agrees that the service is needed, Minister, how can you ensure that this family gets the care they actually need?

**Hon. George Smitherman:** I do want to thank the honourable member for her advocacy on the part of this family. It mirrors, at least somewhat, a few other circumstances between me and members and my staff who have been working to try and make sure that they get the care they require. Obviously this family needs to be acknowledged for the work it's doing in support of three young children with underlying medical complications. I don't know the ins and the outs of the circumstance, but I will commit to the honourable member to work alongside her, with community care access centres and staff from the ministry, to try and find a foundation of resources which can allow this family to support the children in their family. If the honourable member would give us a chance to learn just a bit more about the circumstances, we'll see what we might be able to come up with on their behalf.

**Ms. Sylvia Jones:** I appreciate your assurance, and I do have more details here which I will provide to you.

This family has met with representatives from the CCAC a number of times, and they've actually come up with some very proactive solutions. To date, they have been given no flexibility to do that. As I said, for 80 hours every month since January they've gone without care.

*Interjection.*

**Ms. Sylvia Jones:** Minister, will you assist my constituents so that they can receive the overnight care they need to allow them to continue caring for their children at home, and before they go into crisis?

**Hon. George Smitherman:** I heard that the former Minister of Health from Simcoe-Grey wanted to take credit for the CCACs. It was important to remind him that for a few years there, they actually flatlined their budget. In contrast, we've been able to give, even just last year alone, \$100 million in additional resources to community care access centres.

*Interjection.*

**Hon. George Smitherman:** Now he's heckling about their further plans to cut another \$3 billion from health care.

*Interjection.*

**The Speaker (Hon. Steve Peters):** I ask the member from Simcoe-Grey to withdraw the comment that he just made.

**Mr. Jim Wilson:** I withdraw, Mr. Speaker.



**Hon. George Smitherman:** Mr. Speaker, we shouldn't allow our side comments to confuse—

**The Speaker (Hon. Steve Peters):** You should be speaking through the Chair.

**Hon. George Smitherman:** Yes, that's why I said, "Mr. Speaker."

To the honourable member: I'll work with you to do what we can on behalf of this family. They need our support. I think it's possible to get it, and together, I'm very certain we'll be able to do so.

1140

### PROPERTY TAXATION

**Mr. Michael Prue:** My question is to the Minister of Finance. My office has been working with Ms. Julia Sangster, a senior who lives in a granny flat on her daughter's property in the city of Kawartha Lakes. We have also had months and months of communications with Carl Eisenberg of MPAC, and the reason is because Ms. Sangster's daughter's property has been assessed \$35,000 higher due to the granny flat which is placed upon the land. MPAC says it is bound by regulations signed by you that state that structures placed on the land are assessable.

However, the city of Kawartha Lakes says that the granny flat must be removed upon the sale of the property and it is not a permanent structure. Can the minister tell this House why a temporary structure is assessable even though it has absolutely no resale value?

**Hon. Dwight Duncan:** I thank the member for the question. I'm not familiar with the circumstances of this particular situation. My hope would be that we could work together to have a look at this. If you've corresponded with me already, I apologize. I'm not familiar with the case, but I'd be happy to look into it further with you.

**Mr. Michael Prue:** I thank the minister for that statement.

Julia Sangster has been living through this for a long time. There has been correspondence going back and forth between her, my office, MPAC and, I believe, your office as well. She is not alone. She is like thousands of other seniors who live on their old age pension independently and at no cost to the public. She and many others in this situation are being penalized by the assessment system.

I am thankful for what you had to say today, but this is a lacuna in the law that cries out for remedy. Will you promise to look into this to change the regulation in section 3 of the Assessment Act, not only for Ms. Sangster but for all of the other seniors across this province who live in granny flats on properties owned by their children?

**Hon. Dwight Duncan:** I thank the member for the question. I'll be happy to review it with him, but I'd like to review a few other things with the member.

Last month we brought in reverse onus on MPAC, something you and seniors called for for ages. Do you

know what that member did? He voted against it. This government brought in a senior property tax credit in its last budget, and do you know what that member and his party did? They voted against it. We enhanced the senior property tax credit on three occasions over three years, and do you know what that member and his party did? They voted against it.

It's difficult to come to terms with a party that on the one hand says it advocates for seniors, and votes against every single positive measure for seniors—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### PUBLIC TRANSPORTATION

**Mr. Jeff Leal:** My question today is for the Minister of Transportation. Minister, you know that public transit is very important to the people of Peterborough. Ridership on our local transit system has increased steadily since our government made increasing public transit a top priority. I also know that certain studies clearly show that many people are still driving their cars to get to their destinations.

In my region, transit and transportation are linked together with positive economic development. We need an edge so we can stay competitive and have a future filled with prosperity. Minister, what are you doing to provide the best transit alternatives to the good people of Peterborough?

**Hon. James J. Bradley:** As the member would know, the government made a serious commitment when we decided to invest two cents of the gas tax into public transit for municipalities—\$315 million in all. Since 2004, Peterborough has received almost \$5 million in gas tax funding. Additionally, we recently invested more than \$930,000 in capital infrastructure in Peterborough Transit. We believe these investments will propel transit systems forward, allowing them to make upgrades and provide tangible service improvements to their riders.

I understand that Peterborough has used part of it to upgrade its bus fleet, which will soon include 15 fully accessible transit buses. Added to that, we recently informed Peterborough council of an additional \$762,000 for the Ontario bus replacement program. We've been working with the member on a regular basis. He's a tireless advocate for transportation—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary.

**Mr. Jeff Leal:** I'd like to once again address the Minister of Transportation. Minister, I agree that this government has made transit a top priority. It's actually sad that the previous government cancelled transit funding altogether for two years. That lack of investment left us with a lot of catching up to do. I've received a lot of positive feedback from my constituents and from local municipal leaders and transit riders about our great investments, but we really need to look from a regional perspective as well. Minister, can you update us on the multi-million dollar question of the progress on getting

GO Transit train service to Peterborough—another transit issue?

**Hon. James J. Bradley:** I would first of all agree with the member that when the Conservatives got out of the funding of public transit completely, that was a major mistake that we're trying to rectify. Our government has invested over \$10 million in Peterborough since 2003. It's a fundamental shift from the era previous to that. We recognize that to address gridlock, to address climate change in a meaningful way, you have to invest in transit options.

I understand that GO Transit is currently exploring ways to provide bus service from the Oshawa train station to Peterborough. GO Transit is also committed to extending their rail service from Oshawa to Bowmanville. This extension will serve to improve the riders' experience by facilitating closer bus-train meeting locations. The ability to extend rail service to Peterborough presents some different challenges, and as you know there are significant infrastructure upgrades that will be required. This has been given to Metrolinx to lead a joint rail study.

#### PESTICIDES

**Mrs. Julia Munro:** My question is for the Minister of the Environment. Constituents of mine who work in the structural pesticide industry are very concerned that they will be caught up in your cosmetic pesticide bill. In your haste to bring this bill forward, you have overlooked structural pest control. This industry uses pesticides as a last resort, keeping our homes, hospitals, schools, restaurants and other buildings free of harmful insects. To protect our health and quality of life, they often have to work on the outside of these buildings. This is not cosmetic use. Will you amend the list of exempted uses in Bill 64 to include uses related to structures?

**Hon. John Gerretsen:** I'm very pleased to answer this member's questions and talk about the positive nature of our cosmetic-use-of-pesticides bill that we have brought in this House right now. As the member well knows, we're into second reading right now. Obviously, the bill will go to committee at some point in time. We've also at the same time posted about 80 different ingredients and 300 different products that we're contemplating being part of the regulatory framework that will actually put the act into place.

We realize that there may be certain exceptions, not with respect to lawns or backyards and playgrounds etc., but certainly with respect to the use indoors, because some of these products in effect can be utilized indoors as well to deal with issues like pest control. The bill will make provisions for it, as the member well knows. We're looking forward to this member's positive contribution with respect to this bill and we look forward to all members of this House—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary?

**Mrs. Julia Munro:** Minister, structural pest control often has to fight some of the insects from the outside of

buildings, and that includes such insects as yellow jackets, paper wasps, hornets, ants, spiders, termites, ticks, fleas and earwigs. If this industry cannot do its work outside, it cannot destroy these threats to health. Will you commit to meeting with representatives of the structural pesticide industry to ensure that they are exempted, ideally by the bill, or at least through its regulations?

**Hon. John Gerretsen:** We already have met with literally dozens of groups of individuals and industry representatives on all sides of this issue. Obviously we want to hear from the group that she's talking about as well, and we will certainly make arrangements to meet with them.

#### PETITIONS

##### LORD'S PRAYER

**Mr. Jim Wilson:** I want to thank the congregation of St. Paul's Roman Catholic Church and Father Tad, in Alliston, the church that I went to as I was growing up, for sending this petition to me.

"Whereas Premier Dalton McGuinty has called on the Ontario Legislature to consider removing the Lord's Prayer from its daily proceedings; and

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe; and

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"We, the undersigned, petition the Legislative Assembly of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

I agree with this petition and I've signed it.

##### FIREARMS CONTROL

**Mr. Mike Colle:** I've got a petition trying to outlaw firearms in vehicles.

"To the Legislative Assembly of Ontario:

"Whereas innocent people are being victimized by the growing number of unlawful firearms in our communities; and ....

"Whereas a growing number of unlawful firearms are transported, smuggled and found in motor vehicles; and

"Whereas impounding motor vehicles and suspending driver's licences of persons possessing unlawful firearms in motor vehicles would aid the police in their efforts to make our streets safer;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 56, the Unlawful Firearms in Vehicles Act, 2008, into law, so that we can reduce the



number of crimes involving firearms in our communities and take the guns off of our streets.”

I support this petition and I sign it.

#### ALMA COLLEGE

**Mrs. Julia Munro:** I beg the indulgence of the House for a moment. I am presenting a petition signed by thousands of people who wanted to request, through the petition process, the saving of Alma College. I think that in respect to all of those people who signed these petitions, even though, sadly, we don't have that opportunity, it is out of respect to their concerns that today I read this petition.

“To the Legislative Assembly of Ontario:

“Whereas historic Alma College, designed in the High Victorian Gothic style, chartered by an act of Ontario passed March 2, 1877, opened in October 1881, located in the city of St. Thomas, county of Elgin, province of Ontario, has fallen into a dire state of disrepair; and

“Whereas Alma College continues to be threatened with demolition by its current owners despite the efforts of many concerned citizens, alumni and various officials; and

“Whereas an historical plaque commemorating Alma College was unveiled at the college on Thursday, October 28, 1976, by the Ontario Heritage Trust, an agency within the Ministry of Culture and Recreation; and

“Whereas the city of St. Thomas designated Alma College under part IV of the Ontario Heritage Act (bylaw 167-94), in 1994; and

“Whereas recent amendments (2005) to the Ontario Heritage Act allow the Minister of Culture to designate property as being provincially significant;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“The Minister of Culture immediately designate Alma College as a building of provincial significance and, in the event of a demolition order being issued for Alma, to immediately intervene by issue of a stop order, and to further identify provincial partnerships and possible funding to protect the existing buildings from further deterioration while financial resources are generated to restore the property to its former glory.”

I do this on behalf of the many thousands of Ontarians whose wish is never to become true.

#### HOSPITAL FUNDING

**Mr. Jeff Leal:** I have a petition today from Miss Susan Bishop, who lives at 2091 Hurontario St. in beautiful Mississauga.

“Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

“Whereas ‘day surgery’ procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to ‘day surgery’ procedures that comprise about four fifths of all surgical procedures performed.”

I agree with this petition and I will affix my signature to it.

#### LORD'S PRAYER

**Mr. Ted Chudleigh:** I have a petition to the Legislative Assembly of Ontario.

“Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its place at the beginning of daily proceedings in the Legislature; and

“Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

“Whereas the Lord's Prayer's message of forgiveness and the avoidance of evil is universal to the human condition; it is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

“Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

“Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature.”

I agree with it and affix my name to the petition.

#### FIREARMS CONTROL

**Mr. Pat Hoy:** “To the Legislative Assembly of Ontario:

“Whereas innocent people are being victimized by the growing number of unlawful firearms in our communities; and

“Whereas police officers, military personnel and lawfully licensed persons are the only people allowed to possess firearms; and

“Whereas a growing number of unlawful firearms are transported, smuggled and found in motor vehicles; and

“Whereas impounding motor vehicles and suspending driver's licences of persons possessing unlawful firearms in motor vehicles would aid the police in their efforts to make our streets safer;

“We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 56, entitled the Unlawful Firearms in Vehicles Act, 2008, into law, so that we can

reduce the number of crimes involving firearms in our communities.”

### HOSPITAL FUNDING

**Mr. Bob Delaney:** I have another petition to the Ontario Legislative Assembly from constituents asking for progress on the western Mississauga ambulatory surgery centre, for which I'd like to thank the office of Dr. Tom Short. It reads as follows:

“Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

“Whereas ‘day surgery’ procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to ‘day surgery’ procedures that comprise about four fifths of all surgical procedures performed.”

I'm pleased to sign and support this petition and to ask page Damian to carry it for me.

### HOSPITAL FUNDING

**Mr. Joe Dickson:** “To the Legislative Assembly of Ontario:

“Whereas the Central East Local Health Integration Network (CE-LHIN) board of directors has approved the Rouge Valley Health System's deficit elimination plan....

“Whereas, despite the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a project that could reach \$100 million, of which 90% is funded by the Ontario government, this plan now calls for the ill-advised transfer of 20 mental health unit beds from Ajax-Pickering hospital to the Centenary health centre in Scarborough; and

“Whereas one of the factors for the successful treatment of patients in the mental health unit is support from family and friends, and the distance to Centenary health centre would negatively impact on the quality care for residents of Ajax and Pickering; and

“Whereas it is also imperative for Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding;

“We, the undersigned, therefore petition the Legislative Assembly of Ontario as follows:

“That the Rouge Valley Health System continue to provide the current level of service to our Ajax-Pickering hospital, which now serves the fastest-growing communities of west Durham; and

“That the Ajax-Pickering hospital retain the badly needed 20-bed mental health unit.”

I'll affix my signature to this and pass it to Natalie.

### ANTI-SMOKING LEGISLATION

**Mr. Jeff Leal:** This petition arrived just recently.

“To the Legislative Assembly of Ontario:

“Whereas children exposed to second-hand smoke are at a higher risk for respiratory illnesses including asthma, bronchitis and pneumonia, as well as sudden infant death syndrome (SIDS) and increased incidences of cancer and heart disease in adulthood; and

“Whereas the Ontario Medical Association supports a ban on smoking in vehicles when children are present, as they have concluded that levels of second-hand smoke can be 23 times more concentrated in a vehicle than in a house because circulation is restricted within a small space; and

“Whereas the Ipsos Reid poll conducted on behalf of the Ontario Tobacco-Free Network indicates that eight in 10 (80%) of Ontarians support ‘legislation that would ban smoking in cars and other private vehicles where a child or adolescent under 16 years of age is present’; and

“Whereas Nova Scotia, California, Puerto Rico, and South Australia recently joined several jurisdictions of the United States of America in banning smoking in vehicles carrying children;

“We, the undersigned, respectfully petition the Legislative Assembly of Ontario to approve Bill 11 and amend the Smoke-Free Ontario Act to ban smoking in vehicles carrying children 16 years of age and under.”

I agree with this petition, will affix my signature to it and give it to page Christopher.

### POPE JOHN PAUL II

**Mr. Bob Delaney:** I have a petition to the Parliament of Ontario given to me by a number of individuals in the Polish church in Mississauga. It's a petition in support of an initiative of my colleague from Newmarket-Aurora with which I agree. I'll read it as follows:

“Whereas the legacy of Pope John Paul II reflects his lifelong commitment to international understanding, peace and the defence of equality and human rights;

“Whereas his legacy has an all-embracing meaning that is particularly relevant to Canada's multi-faith and multicultural traditions;

“Whereas, as one of the great spiritual leaders of contemporary times, Pope John Paul II visited Ontario during his pontificate of more than 25 years and, on his visits, was enthusiastically greeted by Ontario's diverse religious and cultural communities;

“Therefore we, the undersigned, petition the Parliament of Ontario to grant speedy passage into law of the



private member's bill ... entitled An Act to proclaim Pope John Paul II Day."

I'm pleased to sign this petition, and ask page Alie to carry it for me.

#### ANTI-SMOKING LEGISLATION

**Mr. Jeff Leal:** I have two more petitions which have just recently arrived.

"To the Legislative Assembly of Ontario:

"Whereas children exposed to second-hand smoke are at a higher risk for respiratory illnesses including asthma, bronchitis and pneumonia, as well as sudden infant death syndrome (SIDS) and increased incidences of cancer and heart disease in adulthood; and

"Whereas the Ontario Medical Association supports a ban on smoking in vehicles when children are present, as they have concluded that levels of second-hand smoke can be 23 times more concentrated in a vehicle than in a house because circulation is restricted within a small space; and

"Whereas the Ipsos Reid poll conducted on behalf of the Ontario Tobacco-Free Network indicates that eight in 10 (80%) of Ontarians support 'legislation that would ban smoking in cars and other private vehicles where a child or adolescent under 16 years of age is present'; and

"Whereas Nova Scotia, California, Puerto Rico, and South Australia recently joined several jurisdictions of the United States of America in banning smoking in vehicles carrying children;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to approve Bill 11 and amend the Smoke-Free Ontario Act to ban smoking in vehicles carrying children 16 years of age and under."

I agree with this petition and will affix my signature to it.

#### LORD'S PRAYER

**Mrs. Laura Albanese:** I have a petition from the residents of York South-Weston.

"To the Legislative Assembly of Ontario:

"Whereas the government is proposing to remove the Lord's Prayer from its place at the beginning of daily proceedings in the Ontario Legislature;

"Whereas the Lord's Prayer has opened the Legislature each and every day since the 19th century;

"Whereas the Lord's Prayer's message is one of forgiveness, of providing for those in need of their 'daily bread' and of preserving us from the evils we may fall into; it is a valuable guide and lesson for a chamber that is too often an arena of conflict;

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"We, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I will affix my signature to this petition and give it to page Taylor.

**The Speaker (Hon. Steve Peters):** The time for petitions has expired.

This House is recessed until 1 p.m. this afternoon.

*The House recessed from 1204 to 1300.*

#### VISITORS

**The Speaker (Hon. Steve Peters):** I just want to welcome all our guests here today, chiefs from across the province. Welcome to Queen's Park.

#### MEMBERS' STATEMENTS

##### ABORIGINAL RIGHTS

**Mr. Norm Miller:** I rise to mark the Aboriginal Day of Action, being held across the province today.

One must only look outside the doors of the Ontario Legislature to see that this government is not doing the job when it comes to our aboriginal communities. After five years in power, this Liberal government unfortunately has a record of being long on promises and flowery language but comes up very, very short when it comes to real, tangible action.

Our aboriginal peoples have played a vital role in the history of our province and stand to be a main driver of our province's prosperity, particularly in northern Ontario. Unfortunately, this government does not seem to understand that. This government stands idly by as our aboriginal communities face substandard living conditions, substandard schools and substandard community facilities.

There's no better example of this government's unwillingness to act than the Ontario Mining Act. This government has been in power for five years, yet they have failed to see the growing frustration amongst First Nation communities, and they have failed to act to change the Ontario Mining Act, which has been hurting communities and jeopardizing economic development.

We, in the Ontario PC caucus, understand the frustrations people feel when they try to deal with this government. We respect the demonstrations that are occurring across the province and on the front lawn here at Queen's Park, and we commend the various groups for these peaceful expressions of frustration.

##### MARKHAM MUSIC AND ARTS GROUP

**Ms. Helena Jaczek:** I recently attended an event hosted by the Markham Music and Arts Group to celebrate their Ontario Trillium Foundation award of \$67,500. This money will be directed to hire a professional fundraiser to develop and execute a sponsorship campaign, thus ensuring the long-term sustainability of three important cultural initiatives in my riding of Oak Ridges-Markham: the Markham Village Music Festival, the Markham Jazz Festival and the Markham Arts

Council. These three organizations came together to apply as a group for the grant.

The Markham Village Music Festival, held on the third weekend of June on Main Street Markham, is probably the best known, attracting some 15,000 to 20,000 residents and visitors. This flood of visitors allows Old Markham Village to show itself off in its best possible light and, happily, also generates much-welcomed income for the many places of business on Main Street Markham.

The Markham Jazz Festival follows on the third weekend in August.

The Markham Arts Council provides seminars, school programs, art shows and much more.

Needless to say, all of these important activities are made possible by the contributions of many selfless volunteers.

Congratulations to the Markham Music and Arts Group for continuing to enrich the cultural life of my community, and to the Ontario Trillium Foundation for recognizing their importance.

#### ONTARIO SUMMER GAMES

**Ms. Laurie Scott:** As the member of provincial Parliament for Haliburton-Kawartha Lakes-Brock, I'm pleased to say that the county of Haliburton has made an official application to host the 2010 Ontario Summer Games. The Ontario Summer Games have never been hosted in rural Ontario, but I'm here to tell you that Haliburton county is ready to change that statistic.

Haliburton is known as central Ontario's playground, and this event will showcase our community and, more importantly, present the athletes with down-home hospitality.

I will be in attendance at an event in Haliburton county on June 4 to meet the review team and to enthusiastically present my unwavering support for their bid.

The review team will be receiving a tour of the incredible facilities that will leave a lasting legacy for youth activity and healthy living in rural Ontario.

We're eagerly anticipating the arrival of over 3,800 athletes, coaches and officials in the summer of 2010.

And here's the exciting point: Every single young athlete will be staying at a lakefront camp, where they will experience the outdoors and recreation of rural Ontario during the four days of competition. This is an amazing opportunity for the young people of this province to see and experience what happens outside the big cities, an opportunity to see the amazing lakes, rivers, forests, trails and rugged terrain that rural Ontario offers. But most importantly, this is about our youth and what rural communities bring to this province.

As Haliburton county's bid correctly suggests, it's altogether amazing. I trust that a full, fair and objective review will be made by the Sport Alliance of Ontario, and I know they will recognize that Haliburton county is, without question, the most outstanding locale, and in 2010, after 37 years, the Ontario Summer Games will

finally come to rural Ontario and the county of Haliburton.

#### SPECIAL OLYMPICS

**Mr. Joe Dickson:** I am pleased to announce that the Special Olympics Ontario 2008 provincial spring games start today, and are being held in Durham region for the first time ever. I am hopeful that this is the beginning of a new trend. Opening ceremonies are at 7 p.m., and continue all day Friday and Saturday.

In Oshawa, we will see our athletes compete in power lifting, baseball, basketball and five- and 10-pin bowling. Of course, I am most eager to see the swimming competitions, which will be held in my riding of Ajax-Pickering. Our Pickering recreation centre will open its doors on Friday and Saturday from 8 a.m. to 5 p.m. I hope to see all of you there to cheer on these Special Olympians.

It took a lot to get here. These wonderful athletes all exhibit boundless courage and enthusiasm. Teamwork and friendship is generally displayed and, as you will see, their hearts and souls go into the games.

In 1968, Eunice Kennedy Shriver opened the first Special Olympics world games, saying, "In ancient Rome, the gladiators went into the arena with these words on their lips: 'Let me win. But if I cannot win, let me be brave in the attempt.'" That was a very powerful message.

Today, all of the young athletes are in Durham. Many of them will win, but even more important, I know they will be brave and bring credit to their parents, their province and their country.

Special thanks to Deputy Chief Chuck Mercier and the entire Durham Regional Police Service for their efforts in making these games possible.

I would like to personally congratulate all of the 800 athletes who are competing. You are all winners in my books. Enjoy the competition. The government of Ontario wishes you all the very best and is looking forward to seeing you "embrace your spirit."

#### DURHAM MENTAL HEALTH SERVICES

**Mrs. Christine Elliott:** I am pleased to rise today to speak about the 20th anniversary of Durham Mental Health Services. It's a non-profit community mental health organization which services Durham region residents living with mental illness.

Durham Mental Health Services opened the doors of its first residential program in Whitby in the late 1980s with the hope that they would be able to assist a few people with mental health issues by means of giving them a clean, safe place to live, healthy food to eat, and the ability to be surrounded by trusted, caring people.

Today, Durham Mental Health Services is proud to serve Durham region by providing a wide range of community-based mental health programs that include



supportive housing, crisis services, case management, family support and court support services.

Durham Mental Health Services believes that individuals with mental health issues are often overlooked or stigmatized and works hard to remind their clients that they are full members of our community, with the same right to dignity and opportunity as all of us. There is every reason to be hopeful about the capacity of each individual with a mental illness to live a life of meaning and purpose. Once our communities acknowledge the impact of mental illness and commit to helping those afflicted through no fault of their own, we can make that hope a reality.

Community mental health programs are a vital service, and they work. I am proud to share that Durham region has such an esteemed group of professionals helping out the members of my community, all the way from the governing board of directors, the management team, to the caring front-line staff whose tireless work helps Durham Mental Health Services clients achieve their full potential in our communities.

#### ABORIGINAL RIGHTS

**Mr. Gilles Bisson:** Today is the First Nations National Day of Action. Across this country, we have First Nations out, trying to educate the rest of the public on the conditions in their communities.

It's a sad state of affairs because, as we look on most First Nations communities, certainly the ones in the riding that I represent, Timmins-James Bay, as it would be in Kenora-Rainy River and others, you basically have situations where people are living in what in some cases are probably worse than Third World conditions. This, in a country that is wealthy, in a country that has brought wealth and prosperity to people for hundreds of years. This, in a province where prosperity has happened for many people.

What are First Nations people asking for? They're simply asking that we share. When we signed treaties with First Nations years ago, it was with an understanding that we would get access to their traditional territories and that there would be a sharing in the benefits of whatever economic activity took place in those territories.

1310

For the first 100 years, there has been not a lot of sharing. It has been about the Europeans, as we're seen, coming in and doing development at the cost of First Nations, with no economic benefit back to them.

Where are we today? We're exactly where we were 100 years ago. This government refuses, to this day, to enact what is called revenue sharing and to give First Nations an opportunity to benefit from the impacts of whatever economic activity happens near or on their traditional lands.

On this day, the day of action, I say that this government should take heed of the comments that are being

made and actually give First Nations the respect they should have gotten in the first place.

#### MUSLIM COMMUNITY

**Mr. Reza Moridi:** I'm pleased to recognize the centenary of the Caliphate in the Ahmadiyya Movement in Islam. Established in 190 countries with members in my riding of Richmond Hill, the Ahmadiyya Muslim Community continues to preach a message of peace and tolerance. The movement is a reminder that the values we all share are stronger than those who would seek to divide us.

As the Ahmadiyya Movement in Islam celebrates this centenary, I would like to acknowledge a very distinct member of this community, the late Professor Abdus Salam, one of the giant physicists of the 20th century. Professor Abdus Salam won the Nobel Prize in physics for unifying the electromagnetic and weak forces and led us closer to the understanding of nature.

Over the course of its history, the Ahmadiyya Muslim Community has established a record of advocacy for universal love and compassion. As the centenary celebrations of the establishment of the institution of the Khalifat are fast approaching, I wish to extend my sincere congratulations to His Holiness Khalifa Hadrat Mirza Masroor Ahmad and to every member of this community. I would also like to acknowledge members of the community in the east gallery.

**The Speaker (Hon. Steve Peters):** Welcome.

#### AGRICULTURE PROGRAMS

**Mrs. Maria Van Bommel:** Last Tuesday, students from Ontario involved in the Specialist High Skills Major in Agriculture program gathered at the University of Guelph for a two-day conference to learn from a number of current agricultural leaders.

School boards that offer the agricultural programs sent students to take part in the jam-packed two days of speakers, workshops and tours of the agricultural facilities at the University of Guelph campus. Topics included the world of work in agriculture and agribusiness, innovation in agriculture and the food sector, and the bio-science century. Former Ontario Federation of Agriculture president Peter Hannam, a leading Ontario grower and developer of soybeans and soybean products, provided the keynote speech on the implications for agriculture of new developments in bioscience.

This agriculture program provides students who complete four major credits and two co-op placements as part of their Ontario secondary school diploma an opportunity to use that skill further in life. From the words of committee member Mike St. Pierre, "Students who graduate with a Specialist High Skills Major in Agriculture designation on their diploma are prepared for success in the agricultural sector and in the post-secondary destination of their choice."

I know that a number of these students will bring the knowledge and skills that they have acquired as a Specialist High Skills Major in Agriculture and put those into practice in my own riding of Lambton-Kent-Middlesex. I certainly look forward to that day.

## CLIMATE CHANGE CHANGEMENT DE CLIMAT

**Mr. Phil McNeely:** This spring, we held the second annual Ottawa-Orléans Climate Change Challenge. The goal of this annual challenge is to engage students in a dialogue about climate change, how it's impacting them and what they can do about it.

Les élèves devaient créer un vidéoclip d'une durée de deux minutes répondant à la question suivante : comment pouvons-nous, en tant qu'individus, réduire notre empreinte carbonique et contribuer à la prévention du changement climatique?

Four hundred fifty students participated in five local high schools: Sir Wilfrid Laurier, École secondaire publique Louis-Riel, Cairine Wilson, École secondaire catholique Garneau and St. Matthew.

J'ai aujourd'hui le grand plaisir de recevoir les gagnants et les gagnantes du concours à Queen's Park. Avec moi, in the west gallery, I have from Cairine Wilson: Justin Muhall, Sarah Poluha, Caitlin MacDonald, Allie Davison and their teacher, Guy MacDougall; et les élèves de l'École secondaire publique Louis-Riel : Marie Harrigan et Christine Miller, ainsi que leur professeure, M<sup>me</sup> Najat Ghannou.

Thank you again to the students and teachers. Votre conscience environnementale, votre créativité et votre pensée avant-gardiste nous ont tous inspirés.

Students, you are indeed the generation of change, and you should be very proud of yourselves.

I wish to thank Enbridge, the Cement Association of Canada, Wayne French of Waste Management, the EnviroCentre, Via Rail and CTV for making this day possible.

**The Speaker (Hon. Steve Peters):** Thank you, and welcome as well.

## PRIVATE MEMBERS' PUBLIC BUSINESS

### MUNICIPAL RESIDENTIAL SPRINKLER ACT, 2008

### LOI DE 2008 SUR LES EXTINCTEURS AUTOMATIQUES RÉSIDENTIELS DANS LES MUNICIPALITÉS

Mrs. Jeffrey moved second reading of the following bill:

Bill 72, An Act to amend the Building Code Act, 1992, the City of Toronto Act, 2006 and the Municipal

Act, 2001 with respect to fire sprinkler systems in new residential buildings / Projet de loi 72, Loi modifiant la Loi de 1992 sur le code du bâtiment, la Loi de 2006 sur la cité de Toronto et la Loi de 2001 sur les municipalités à l'égard des extincteurs automatiques dans les nouveaux immeubles d'habitation.

**The Speaker (Hon. Steve Peters):** The member from Brampton-Springdale.

**Mrs. Linda Jeffrey:** The blaze started in a small brick bungalow in Toronto at 3:45 p.m. Darryl was at home at the time of the fire. He lived with his parents: a retired father and his mother, who operated a small, home-based business as well as caring for her son.

Darryl, 54, had multiple sclerosis and was confined to a wheelchair. His elderly father and a nephew attempted to save Darryl but were driven back by the smoke. They were taken to hospital with serious smoke inhalation injuries. Darryl was pronounced dead at the scene. A working smoke alarm was recovered in the house outside the bedroom where the fire started.

I present to the House Bill 72, the residential fire sprinkler systems act, 2008. It would be more appropriately named for individuals like Darryl and the hundreds of other Ontarians who might have been saved if a residential sprinkler system was present.

In the galleries today there are members of fire services from across Ontario who have travelled here today to bear witness to our actions. They can all tell you the harrowing stories of people who died or were injured, who might have had a chance if they'd had the extra precious minutes that a residential fire sprinkler system would have provided. I want to acknowledge their attendance and thank them for their ongoing dedication.

Since being elected in 2003, I've brought forward two private members' bills that would have ultimately put the onus for mandating residential sprinklers on the shoulders of the province. After consulting fire professionals, I've decided this time to approach the issue from a different perspective. The bill we're talking about today would amend several provincial statutes granting municipalities to enact bylaws requiring fire sprinkler systems in all new residential buildings. This bill recognizes that municipalities should have the ability to ensure that new homes in their communities have this important, life-saving feature incorporated during construction.

This past weekend, a family in my community of Brampton lost their home in a new subdivision, and two firefighters were taken to hospital. I believe that sprinklers would have limited the spread of the fire that engulfed one home and left two others severely damaged. Every few days, we read stories about another preventable fire and the needless loss of life. These stories raise awareness, and it's clear that the issue of residential sprinklers has finally become a provincial debate.

On the one side are those charged with public safety. Municipalities and their fire chiefs from across Ontario have petitioned our government, asking for the power to ensure that residential sprinklers are installed in all new residential construction.



On the other side of the debate are home builders and members of the construction industry who claim that new homes are safer and fire-resistant. It's true that building practices have improved, but today homes are built from lightweight, composite wood frames that are consumed by fire more quickly and fail even faster than solid wood beams.

1320

Caught in the middle of this debate are politicians. For me, the choice is clear. I'm passionate about saving lives, and I know there is more that our province can do. I no longer wonder if building codes will be changed to require residential sprinklers; I just wonder when regulations will be brought forward. It's clearly the way of the future, as witnessed by cities such as Vancouver.

Interior finishes such as upholstery, laminates and contents made of synthetic foam and plastics are routinely found in our homes. Our sofas and carpets are now largely constructed from petrochemically based materials. These contents create fires that burn hotter and quicker and produce higher concentrations of toxic smoke than natural finishes.

A new study, released in October 2007 by the Underwriters' Laboratories, adds credibility to the characterization of polyurethane foams and similar materials as solid gasoline. The furnishings that surround us today pose a higher level of risk than in the past, resulting in faster-developing fires and less time to escape. As a result of this and other factors, the time between the start of a free-burning fire and a flashover has been reduced to between 2.2 and 4.3 minutes. Homeowners have a shorter period of time to escape, and firefighters have a much more serious situation upon arrival.

Some have argued that only smoke alarms are necessary. Yet, while our first thought upon hearing a smoke alarm should be to get out, this is not always the case. People wait for reinforcing cues. What we typically do when we hear a fire alarm sounding is get out of bed, open the door, stick out our head and wait for a cue or direction, all of which takes precious time.

In a review of fatal fire data over a three-year period in Ontario, it was found that 43% of smoke alarms did not work, usually because of a dead or missing battery or power source. Smoke alarms aren't foolproof. They have a limited lifespan and need to be replaced every 10 years.

Residential sprinklers are an automatic device, a technology that requires no human intervention or reaction. It's a proven technology, like airbags. It doesn't rely on changing human behaviour to prevent an accident or loss of life.

Others have questioned the need for sprinklers. They've argued that the cost will negatively affect home affordability and may cost jobs in the housing sector. Yes, there's a cost associated with the installation of residential sprinklers. There's a cost factor with seat belts and airbags in motor vehicles. Today, these devices are recognized as essential life-saving equipment that no one would be without. Vancouver, which has had residential sprinkler legislation for nearly two decades, has not seen

housing sales negatively impacted. We spend nearly two thirds of every day in a sprinklered environment, and no one has made the argument that we shouldn't have sprinklers in public places because of cost.

Fire sprinkler systems have proven their value and effectiveness time and time again. They protect our workplaces, restaurants, entertainment venues, schools, factories, gyms and places of worship. Vancouver has had 18 years of experience with residential sprinklers, and since the city passed the bylaw, there has not been a single accidental fire death in a home equipped with sprinklers.

The Association of Municipalities of Ontario recently expressed support for building code revisions that would make sprinklers mandatory in new residential buildings over three storeys and has also expressed support for this proposed bill. The Canadian Association of Fire Chiefs and the Council of Canadian Fire Marshals and Fire Commissioners support the need for fire sprinklers in all residential occupancies. Organizations such as the Ontario Municipal Fire Prevention Officers Association and over 50 municipalities across Ontario support this legislation.

On a cold February morning at 4 a.m., a fire engulfed a family home in Toronto. Loretta managed to escape the blaze with her two-year-old daughter and was pounding on neighbours' doors, pleading desperately for help. Her husband and four-year-old twin son and daughter were trapped inside the inferno.

Neighbours reported that this young mother was frantic. She was screaming for her family members in the house. A neighbour went into the house, and he said, "I've never seen anything burn like that. There was just nothing I could do. Smoke and flames were coming out. It was engulfed."

Toronto Fire Services dispatched 13 vehicles with 50 firefighters. The fire was under control at 4:22. Paramedics pronounced Stewart, Mackenzie and Arthur Cameron dead at the scene.

This past weekend, I joined Toronto Fire Services and the Toronto Professional Firefighters' Association at a service to honour past, present and future firefighters who make the supreme sacrifice at the fallen firefighters' memorial, to mark the addition of 22 names to that monument. These brave men and women put their lives on the line protecting us. I don't want to see any more families devastated by the premature loss of their loved ones.

I want to thank the Premier for acknowledging that our province can do more with regards to fire safety in residential buildings over three stories. I want us to be courageous and take that next critical step and develop a comprehensive residential sprinkler strategy for new construction.

For more than 25 years, nearly a dozen coroners' juries and inquests have recommended changes to the Ontario building code to include residential fire sprinklers. Isn't it time Canada's most populous province took the lead on this issue and answered the call of saving lives?



When I first came to Queen's Park, I remember something the Premier said. He encouraged us to be courageous and to bring forward legislation that's meaningful. I took his words to heart. I cannot think of anything more important than demonstrating our commitment to civilian and firefighter safety. I'd like to thank my friend Brian Maltby. He's been relentless in his determination to see residential sprinklers become mandatory.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Ernie Hardeman:** I'm happy to be up and speaking to Bill 72. I want to thank the member from Brampton-Springdale for reintroducing this bill. To say "reintroducing" this bill may not be quite true; obviously the other two were slightly different. I want to talk a little bit about that difference, but I do want to thank her for her perseverance, for dealing with this issue that is part of fire safety.

Having been a firefighter for 25 years, I very much appreciate anything that government and any member of government can do to make society safer from the effects of fire and, more importantly as it relates to firefighters, to make it safer for those who risk their lives to make sure others are not hurt by that fire. We saw it with the World Trade Center, but you see it every day when you go to a fire anywhere, that as everyone else is trying to get out, the firefighters are trying to go in, to help those that are there. There's no doubt in my mind that sprinklers in the house would help that cause; I do want to acknowledge that right up front.

I want to recognize all the firefighters who are here today. It's great to see you here. It makes the place somewhat worthwhile that as you talk about a piece of legislation this important, the people who are going to be impacted by it are here to hear that discussion. I want to thank them for that.

I did say that there was one thing I did want to talk about a little bit: the difference between this bill, Bill 72, and the previous ones, the first one—oh, I haven't got the right date here—Bill 141, and the second one was Bill 2. They were similar bills. The only difference was that they were bills that would amend the building code so that every house constructed after a certain point in time would have a sprinkler system installed. This act changes that somewhat.

I think one can look at it either way, but it changes it so that we would no longer have a uniform building code across the province. In fact, we could have one municipality that dictated having sprinkler systems in new houses and another municipality that decided not to go that route. We could make the assumption, I suppose, that every municipality will see the benefits of doing it and that we would then have a uniform system across the province. But if that's the case, then it would still seem to me that the most practical way of doing that is to leave it in the building code so it just becomes common practice for everyone.

So I find some concerns. The big concern is that everything else that the government has been doing in the

last while tends to take us in the other direction. I'll just use some examples.

The smoke-free Ontario legislation: Now, we all know that in every municipality the council has the power, and still does, to do what they deem necessary to protect the health and safety of their citizens, their residents. So we had a lot of municipalities—I think something like 75% or 80% of the population—covered by a bylaw that prohibited smoking in public places. Then the province came along and said, "No, we want to make sure that we have it uniform, so that 20% of that population is not deprived of that same protection. If it's good for one, it's good for us all." So the government passed the smoke-free Ontario legislation to make sure that we would have uniform coverage across the province.

1330

More recently, we're presently debating in this House, when we're debating government business, the pesticides act. It's exactly the same thing: Presently, the city of Toronto has a bylaw that regulates the spraying of cosmetic pesticides on lawns in the community. We have pesticides legislation now that will prohibit it across the province. The difference between those two: The smoke-free Ontario legislation applied a stronger standard or as strong a standard as we had anywhere in the province. It appears that the pesticides legislation doesn't do that; it actually lowers the bar and says that no municipality can regulate above that. So we are in fact taking away the ability of municipalities to regulate what they think is in the best interests of their citizens. We will be getting rid of what the government calls a patchwork system and we will make it all the same by uniform policy. This bill, a change from the previous bill, will do exactly the opposite: It is permitted in all municipalities, but no municipality in the province is presently mandated to do it. This legislation would allow the councils to decide whether they want to implement the building code.

I have some concern that if you do that, it's kind of difficult to say that safety for the people of Oxford county is less or more important than for the people of the city of Toronto. I don't think it's fair to suggest that firefighters' risks should be greater in any single municipality than another. So if we're all convinced that the proper way is to have it uniform across the province, then it would seem to me that that's the way the legislation should go.

Having said that, I also believe that this type of legislation—I said it the last time when I spoke to the member's bill, and we appreciated that opportunity. This is something that requires, as the member said, a considerable amount of debate. There are two views—there's more than one view, anyway; there are likely more than two. There are two sides to the story. The safety aspect of it, of course, is very important, but then there's another facet of what it will do to society in general and to the cost of homes and how well they will work and so forth. There's a lot of debate that needs to go into making the final decision.

Every so many years—I think it's every five years—there's a building code review to see what needs to be



changed for future direction in the province. I believe that's when this type of thing should be discussed, so everybody involved has an opportunity to put their position forward and then come out at the end with what is in the best interests of the province. I want to point out that I think it's rather important that between the last time I had the opportunity to speak to this bill and now, we've had such a building code review. I wasn't at that one. I've been involved in a few before then, but the last one, I wasn't there. I would presume that this issue had been discussed at that time, but it was decided that no changes would be made.

As it relates to this bill, I support the principle of what the member is putting forward, but I really have concerns that it will be any more successful in getting through the next step after today, if it passes today. I think we would have great difficulty in getting it back into this House for third reading. We know that the government House leader has to call it back. In order for the government House leader to call it back, it has to be the wish of the government for it to be passed into law. If that was true—and I'm just guessing now—and if the government was intending to pass this into law, they would have included it in the last building code review.

So I say to everyone gathered that passing it today will not necessarily make it the law of the province. The individuals I spoke to after the last debate on this bill may very well be in the audience this afternoon. I remember saying that I would be much more enthused about this if I thought that the bill was coming back for third reading in order to be passed, as opposed to just going through the process of having the discussion on second reading. At that point, it turned out to be true, and we're here to do it again. I still have that same concern that it may not make it there.

Having said that, I do want to quickly go over some of the concerns that were expressed by some of the other people. This is from March 2, 2007; and it was written in the *Globe and Mail*. I won't go through the whole thing. It was Mr. Mike Holmes from Holmes on Homes. Some people consider him quite an expert on renovations. I watch him from time to time. I know that when I get involved in that type of thing, I want to do it right, so he will tell me when I'm not. It's interesting—I've never seen him compliment anyone whose work he was tearing out.

I just want to point out this out. It says here, "We've all heard the statistics about people who had smoke detectors or fire extinguishers that didn't work when they needed them, because they forgot to change the batteries or replace them as needed." He goes on to talk about how the sprinklers will have the same problems if they aren't maintained, and there's nothing in the legislation that would encourage that maintenance. I mention that because I think it's so important. If you read the statistics and stories that are in the paper about fatalities in house fires, it will quite often include whether or not the smoke detector was working, and the majority of the time, it wasn't.

We have to remember that the sprinkler system will do a great job of helping fight the fire for the firefighters, and it will do a great job in trying to save property, but I'm not sure that it does as great a job of warning people that the house is on fire and gets them out. Most of the time—or a lot of lot of the time, at the very least—the smoke will be hazardous to your health long before the fire will set off the sprinkler system. I think we need to put much more of our efforts and our time into making sure that people have smoke detectors and that they're workable. I know that the law is that you must have a smoke detector on every level in your house. I'm here to say that I do have, but no one has ever come to see whether or not they're working. I think we need to do more enforcing the rules to do that.

Mike Holmes also goes on: "If we're pushing for new legislation—instead of a Band-Aid-like solution such as mandatory sprinklers, how about introducing something that will improve the building code standards for fire-resistant building? Let's build it right the first time." What he's talking about there is, if we're going to make that investment, why do we still use half-inch drywall instead of five eighths? Because the five eighths take much longer for the fire to get through. It's things like that that one can do to improve the efficiency of the building, to keep it from burning.

I commend the member for introducing this legislation. I think it should have had more consultation through the building code, but I understand the member's problems with getting that done. If it's not the government's wish to get this done, then this is the only alternative the member has to get it into the House, and I appreciate very much that she has persevered to get it to where it is today. Thank you for allowing me to speak.

**Mr. Michael Prue:** I'm here today to speak again, for the third time, on the Municipal Residential Sprinkler Act, Bill 72. I say "for the third time" because in each session since the member from Brampton–Springdale has been here, she has put forward a bill—a logical, clear, coherent, concise, doable bill—to protect lives in this province, and in each session, we have seen it die on the order paper. It has been referred to committee, but the first two times, it wasn't even called by the committee. The government refused to call the bill into committee to even allow public deputations, to even allow an all-party conference to listen to it, support it, speak to it, make amendments to it and garner public support.

On the first occasion, she spoke with extreme passion, and many people and firefighters came out. The numbers seem to swell each time this is brought forward. Each time, more and more people come out to hear about this bill. I am convinced that the public at large is totally, completely supportive of this bill.

I rise here today, as I have in the past, to talk about the merits of saving lives. I know that there are people out there who do not support this bill; we all know that. We all know that some of those people who have had the ear of the McGuinty government and the cabinet—those people who have spoken against this bill and other similar bills—have largely come from the construction



industry, the new home builders. They talk about the costs, and I've asked them and questioned them about the costs in human lives. They talk about money, and I think that the member from Brampton-Springdale and others in this Legislature have talked about human lives and talked about the importance, and which one is the most important.

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Each year that she has spoken, and this is the third time, she has asked the government, her own government, to do the right thing. I'm asking them to do the right thing again this year, and we acknowledge—the previous debater talked about this as well—that the bill has changed. I am not sure that the bill has changed for the better, and I have to say that. I understand her frustration—we all understand her frustration—in having to move an amended bill that calls upon the 480 municipalities to individually have their own fire code, their own building code, their own regulations, their own bylaws, because she understands that this government seems to be intransigent upon something that other governments have seized years ago.

We know they've done it in British Columbia; we also know they've done it in 400 other jurisdictions across North America. One only has to look at the demonstration in front of Queen's Park—all members were invited to come out to it—a year or two ago. They showed how fast a fire can start; how fast it can reach the flashpoint, the point upon which it becomes extremely dangerous, at which the residents invariably are in danger, where the firefighters who enter the building are in danger; and how that flashpoint can be reduced to almost nothing with a residential sprinkler. It showed how fast a mock chair, I think it was, went up, and then it showed how, when the mock chair had a sprinkler on it, even though the fire may not be completely put out, it lessened the fire and the severity and the intensity of that fire to the point that it was not a danger.

We all know that firefighters across this province endeavour to get to the scene of a fire within four or five minutes of the time that the alarm is sounded and they're out the door. By and large, in the larger urbanized areas, they are absolutely and totally successful in almost every case in meeting that mandate. But we have lots of places in this province where they don't, and the firefighters are too spread out in rural and remote areas, in small-town Ontario, where it is impossible, with volunteer firefighters, to meet that four- or five-minute mandate. We know that having a residential sprinkler will allow the home to be watered down even a little, so that the flashpoint is not reached, so that lives are not put at the same kind of risk, so that the smoke doesn't engulf the entire home. Even if that buys another four, five or six minutes, it's going to save lives every single time, and every single time it's going to give firefighters who bravely come out to unforeseen circumstances that extra couple of minutes before the flashpoint is reached, and that extra couple of minutes to save their own lives and their own health, which we all hold so dear.

I too have introduced a bill three times in this Legislature. The minister from Brampton-Springdale and I work almost in tandem. She is trying to get residential sprinklers for new homes and I have been trying to get wooden fire escapes off the old ones. Each time she speaks to my bill and I speak to hers. I remember when my bill on the last occasion actually got to committee; it actually made it to committee and it was debated. I remember the sadness that I had when we tried to incorporate some aspects of her bill at that time into my bill. The Conservatives all supported doing that, and I was the lone New Democrat—it was my bill—and I supported doing that, but her colleagues in the Liberal Party wouldn't even buy into what she was trying to do in terms of this bill. My bill passed, but without any of the amendments that I wanted for her.

This is tough. I know what she's trying to do and I support it wholeheartedly. I'm not speaking to her, because I don't need to. I'm speaking to the other members. I know it's going to pass unanimously here today—or I expect that what happened before is going to happen again—that we're all going to vote for it, but it's not enough to vote for it today. You have to, as a caucus, make the determination to send this to committee and you have to, as a caucus, stand united to make it happen. It has to happen, and it has to happen there. Then you, as a caucus, have to demand, through the Premier's office and through the House leader, that it be brought back for third and final reading in this House. It's not going to happen any other way. It's not going to happen if we all sit here and are content to allow it only to happen here today.

So I'm asking members to do something I have seen all too rarely in these last five years—not that I'm ever going to see it—and that is for there to be a mini-caucus revolt, where people say, "This is an important bill."

We've seen what the government is trying to do. They're talking about sprinklers, but in places that are not going to really affect anybody; well, they're going to affect some people. They're talking about sprinklers in residential and service areas, in common areas and in mixed-use buildings, but they all have to be in excess of three storeys. They're not talking about sprinklers in single-family homes, and that's what this bill is all about.

It would not take a huge amount of effort to take what the government is planning to do anyway and incorporate all homes, to be like the 410 or so other jurisdictions across North America that already see the brilliance of doing this. I am asking them and all of you to do that. It is not a difficult proposition.

I just want to close by quoting from my favourite former fire chief, retired, of the city of Toronto, whom I see here today, Mr. Al Speed. He wrote an editorial opinion to the Toronto Sun on January 9, 2008. He said:

"Fire sprinkler systems have proven their value and effectiveness time and again. They protect our workplaces, restaurants, entertainment venues and institutions, yet we return to our homes, where we should feel safe, and that, tragically, is where most perish in a fire, typically between 90 and 100 annually in Ontario."



He goes on in very hard-hitting terms: "Let's stop this madness now. Vancouver introduced mandatory residential sprinklers for all new residential construction in 1990, and 17 years later they have never recorded a fire fatality in an occupancy protected by sprinklers.

"The responsibility in Ontario lies with Queen's Park, and they can bring in changes to the Ontario building code requiring all new houses and apartment/condos to be protected by fire sprinklers."

He ends with these words: "I urge the people of Ontario to call upon their local MPPs and the provincial government to introduce the necessary legislation requiring the installation of fire sprinklers in all new residential occupancies. If the government is not prepared to make this progressive move, I challenge them to at least set up an inquiry to learn the facts."

I challenge the members opposite to do the same: to learn those facts, go back to your caucus, support your colleague from Brampton-Springdale and, this time, do it right. You're making the changes anyway. Include single-family residential homes. Protect the lives of citizens and the lives of our brave firefighters.

**Mr. Kim Craiton:** It's a pleasure to be speaking here today at 1:50 p.m. on Bill 72, a bill that I consider very significant. Before I start, I would like to recognize two very professional firefighters from my riding of Niagara Falls who are here today to support this bill. One is Fort Erie Fire Chief Jim Douglas. He's in the east gallery, behind me, so I don't have a chance to say hello to him personally, but thank you for coming out, Jim. As well, Niagara Falls Assistant Fire Chief Jim Jessop is here. Thank you very much for taking the time.

The fact that both of these chiefs are here indicates that they know first-hand the tragedy and trauma of needless death. They also know that this bill will support not just the public but firefighters. I believe that by their presence here, they're giving strong testimony for the need for this private member's bill that the member for Brampton-Springdale has put forward, and that they're supporting it.

1350

We all have stories about fires, unfortunately. I'm going to share a couple with the House today. They're not nice stories to tell, but I think they're significant enough to be told because they emphasize why having sprinkler systems, as indicated in the bill, are so important.

Two weeks ago, when a fire broke out at Cavendish Manor, a retirement residence in my community, some of the residents were so desperate to escape that they were hanging from the open windows on the second floor and some of them were getting ready to jump. The fire was an accident, but it was a tragedy waiting to happen because this residential retirement building had no fire sprinkler system. Thank goodness the fire broke out just before 11 in the morning, in a room on the second floor of a 90-year-old former schoolhouse, when staff were present. Thank goodness it happened during the day, because the well-trained staff at that home knew what

they were doing and they did it very well. If this had happened at any other time, particularly in the evening after 8 p.m., when there is less staff on duty, Assistant Fire Chief Jessop told me there could have been a loss of at least 20 of this city's most respected seniors. Many of these seniors are personal friends of mine, and I've attended many of their milestones and I celebrate their birthdays with them. As it was, one of the residents in fact did die while being evacuated but, thankfully, was resuscitated by a firefighter. I'm happy to report that she's doing well.

I visited the home the next day. I talked to the responders. I talked to the staff. I talked to the investigators. I saw the devastating results first-hand. I saw how in just four minutes, a little, containable accident became a raging, ravaging inferno that consumed everything in its way in its quest for oxygen. I saw how the fire was contained by the existing regulations we have. I saw how the fire doors that were there and the fireproof ceiling helped. But I also know and I was told that had there been one sprinkler head, it would have limited the damage to that one room only and allowed everyone in the home to live with the peace and security of a sensible fire protection system, had it been in place.

Another situation: While no one was injured after a fire gutted a home on Casey Street, again, in my riding of Niagara Falls, earlier this year, the damage was extensive. The fire started in an area in the basement and burned through the ceiling, spreading to the first floor. The damage was pegged at \$70,000. Again, Jim Jessop, assistant fire chief with the Niagara Falls Fire Department, told me that if the home had been equipped with a residential sprinkler system, the fire would have most likely been extinguished by a single sprinkler head, with far less damage.

Unfortunately, this was not true last year in Fort Erie, as their fire department tried valiantly to rescue a mother and a child from a townhouse. The mother suffered burns to over 80% of her body and is still hospitalized. The daughter died. This fire was truly tragic. It was tragic for the loss of life. The tragedy continues today for the mother as she fights the pain of body and soul. The tragedy continues as our community copes with the horrendous medical and professional care bills. But the biggest tragedy of all is that it did not need to happen. With a single fire sprinkler head, the mother and daughter would be here today, in this gallery, alive and in good health, supporting this bill. The damage to the property would have been minimal. I want to tell you that the responding brave men and women of the Fort Erie Fire Department would in fact have faced a significantly less dangerous situation, with less risk and far less emotional trauma.

Nobody likes to see a needless death. Tragically, our fire departments across the province have seen far too many of them.

You've heard from two of the speakers before me about the city of Vancouver, and I want to say it for the third time: Eighteen years ago, by a municipal bylaw, they passed legislation requiring residential sprinklers in



all new homes. Since then, they have not had one—let me repeat that—not one fire-related death in a home with a sprinkler.

Every year, my guests, two of Ontario's best fire professionals, have travelled to urge us to amend the building code to require sprinklers in all structures over three storeys. They're back here today. They're asking us to complete the job and to cover buildings under three storeys. According to Patrick Burke, the Ontario fire marshal, who was formerly the fire chief for Niagara Falls, there are almost 13,000 fires, that result in 90,000 deaths, 800 injuries and over \$340 million in property damage in Ontario; 72% of fires occur in residential homes.

Those opposing mandatory sprinklers have said that their concerns are about the cost and the impact on new homes. I'm going to tell you that the same thing was said about seat belts and airbags in motor vehicles. Today, these devices are recognized as essential life-saving equipment. So even if there is a cost, we are talking about people's lives. That's something you can never place a value on.

Let me say in conclusion: In light of all the evidence, if we fail to act, if we fail to support this legislation, if we fail to insist on the installation of fire sprinklers, then we fail the communities we serve and we fail to protect those who protect us. If we fail to serve, then we really are being negligent.

I want to thank the member from Brampton—Springdale, my good friend and colleague Linda Jeffrey, for her passion and purpose. I am quite honoured to have the opportunity to speak in support of this bill.

**Mrs. Laura Albanese:** I am pleased to rise today to support Bill 72, the Municipal Residential Sprinkler System Act, put forward by the member from Brampton—Springdale.

I am pleased to participate on behalf of the residents of York South—Weston, who remember a fire tragedy that took the life of a 15-year-old girl. In December 2006, a fire broke out in a townhouse complex on Humber Boulevard in York South—Weston, and a 15-year-old was trapped on the third floor of her home. Although her mother jumped out a window to escape the flames, the teen had to be retrieved by fire crews. Tragically, she later died in hospital.

As a mother, when I hear about these incidents I can't help but feel hurt for the family and the mother who had to cope with this tragic loss. I know that residents were shaken up by the blaze, but I also think it's very important to think about the firefighters who must work to extinguish fires in such dangerous situations. I would like to take this opportunity to recognize the firefighters who are here in the chamber today.

In the case of the Humber Boulevard fire, the Toronto fire platoon chief, B.J. Hansen, said at the time that the visors on the helmets were completely melted off of his crew, and the firefighters suffered steam burns. So in battling fires, we think of the safety of the residents of the buildings and the families who endure the trauma, but

we also think about the front-line staff who must protect and contain the danger while potentially putting themselves in harm's way.

Residential sprinkler systems are another tool that residents and firefighters can draw on to prevent these kinds of tragedies. In 2006, the cause of the blaze was unknown, but the fire officials noted that the smoke detectors in the complex were in good working order. Despite that fact, there was still the tragic loss of a young life.

Building codes, the materials used in construction, and fire warning and prevention systems within complexes are all-important when it comes to fire safety. Home-owners should certainly think about installing residential sprinkler systems, but the proposed Bill 72 keeps in mind the particular nature of multi-unit dwelling residences that are very high or are attached. The member from Brampton—Springdale is correct in bringing particular emphasis in Bill 72 to the multi-level nature of new construction.

Although I started my debate speaking about a tragic fire that took a life about a year and a half ago in York South—Weston, there was actually a more recent fire that illustrates the importance of integrating fire prevention into new buildings. Just this past Monday night, May 26, in the area of Jane and Weston in York South—Weston, there was a four-alarm fire on a top-floor unit of a townhouse complex that spread to at least two other homes. Nineteen fire trucks and 80 firefighters were called to the scene, and it is estimated that about 40 residents were affected by the blaze and had to be evacuated from their homes. The firefighters did a terrific job—no reports of injuries. Residents were able to return to their homes quickly.

1400

What I find relevant to our discussion on Bill 72 is that firefighters were on the scene for over three hours, because while the fire started in one unit of the complex, it spread quickly to adjacent buildings. The fire captain estimated that the townhouses were less than two years old.

So Bill 72 really speaks to the fact that it does take a variety of participants to work together to prevent incidents like the fire in York South—Weston on Monday. Therefore, on behalf of the residents of York South—Weston, I would just like to conclude by once again congratulating the member from Brampton—Springdale for bringing forward this bill, which highlights a variety of partners who can work together to bring changes in Ontario to save lives.

**The Acting Speaker (Mr. Jim Wilson):** Ms. Jeffrey, you have up to two minutes to respond.

**Mrs. Linda Jeffrey:** I'd like to thank the member from Oxford. I know he supports the principle of this bill. He spoke about a contractor's opposition to this legislation. I know developers and contractors are concerned about this legislation, but I'd like to encourage them to embrace this proven technology in the same way they do environmental and energy initiatives.



To the member from Beaches–East York, I appreciate his ongoing support on this issue. He gets it and he understands that fire safety is not a partisan issue. I like the idea of a sprinkler revolution, so I'll think about that.

To the member from Niagara Falls, I thank him for his ongoing support. It's unfortunate that fires continue to take a toll on our residents, and I'm sorry they're happening in Niagara Falls.

To the member from York South–Weston, I thank her for speaking and sharing that tragic fire in her community and how she lost such a young life at such an early age.

It's unfortunate that fires continue to take a toll in Ontario. That's why I'm here again today. This is my one chance to talk about something that I'm passionate about. We are the voice of all Ontarians across this province. The most vulnerable, the elderly, the disabled and children are most at risk when their home is on fire. They rely on us, when we find out about good technologies or good ideas, to put those ideas forward and not wait until a building code review or some other opportunity happens. We're here to react and be nimble when things are obvious to us. This is an obvious piece of legislation, and I am committed to seeing the legislation passed so we can protect all Ontarians across all our ridings in this province.

**The Acting Speaker (Mr. Jim Wilson):** I'll just remind our attendees today and people watching at home that, under the new rules, this item will be voted on in 100 minutes' time.

JAY LAWRENCE AND BART MACKEY  
MEMORIAL ACT (HIGHWAY TRAFFIC  
AMENDMENT), 2008

LOI DE 2008 COMMÉMORANT  
JAY LAWRENCE ET BART MACKEY  
(MODIFICATION DU CODE  
DE LA ROUTE)

Mr. Rinaldi moved second reading of the following bill:

Bill 74, An Act in memory of Jay Lawrence and Bart Mackey to amend the Highway Traffic Act / Projet de loi 74, Loi modifiant le Code de la route à la mémoire de Jay Lawrence et Bart Mackey.

**The Acting Speaker (Mr. Jim Wilson):** Pursuant to standing order 97, Mr. Rinaldi, you have up to 12 minutes for your comments.

**Mr. Lou Rinaldi:** I rise today in this House to pursue—like the previous private member—something that I passionately believe in, that we as legislators need to act on to prevent further tragedies.

Just a little chronology on this particular bill I've introduced: Back on July 30, 2000, two young men, Jay Lawrence and Bart Mackey from the community of Baltimore, which is just north of Cobourg in the municipality of Hamilton township, along with some friends were riding in the back of a pickup truck. The truck was involved in an accident and both of those young gentle-

men died. In May 2001, the former member from Northumberland, a member of the then government, introduced a private member's bill to try to deal with this issue. Unfortunately, the bill never made it through the process. In November 2004, after being elected and just over a year in government, I reintroduced a bill to eliminate riding in the back of pickup trucks. In February 2005, it was ordered for second reading. In November 2005, it was ordered for third reading. We went as far as January 2007. Then, through the Ministry of Transportation, we had some consultations and really good feedback. In September—as you know, in October we embarked on the election—the bill died on the order paper.

What I am trying to say here today is that there are six jurisdictions in Canada—British Columbia, Alberta, Manitoba, Quebec, Nova Scotia and New Brunswick—that have some regulatory regime to prevent folks from riding in the back of pickup trucks. Having said that, there are 31 jurisdictions, specifically 31 US states, that currently, as we speak here today, out of the 50—which is about 75%—have regulatory regimes to prevent riding in the back of pickup trucks. To put it mildly, Ontario needs to get up to the times.

My speaking comments could have been very brief: “Well, what I said back in 2004 and 2005 I'm going to say again.” But I must say that I'm going to touch on some points, because things haven't changed. I talked about the two young gentlemen who were killed. Another incident that came to my attention from feedback that I got from some folks when I first introduced this bill last time is that in August 2004 the same thing happened to a 20-year-old gentleman in Manitoba.

I just want to emphasize that back in 2000 the Canadian Public Health Association passed a resolution condemning the use of the back of pickup trucks. They took a bit of a different spin. Although there are a number of lives lost, they wanted to focus on injuries from accidents when people are riding in the back of pickup trucks. They tell us that, on average, whenever there is an injury, for the first year there is a cost to our public health care—and this is an injury—of well over \$300,000. They also tell us that if somebody is permanently injured—and it's quite common when you're not restrained and riding in a motor vehicle—it costs our health care system some \$2.5 million for each injury over the lifespan of the particular individual. So, not to diminish the anguish that a family has to go through, and the challenges, if somebody is hurt because of an accident, we tend to put dollar figures to it, but it's the pain and hardship that normally are not easy.

Some of the things that they tell us also are statistics when you talk about injuries occurring from riding unrestrained: Specifically in the back of a pickup truck, the chances of getting hurt or dying are over 10 times higher than if you were restrained. So, as you can see, the statistics tell us that there is something wrong with the way we do things. They tell us that over 200 deaths occur per year in Canada from riding in the back of pickup trucks.

Mr. Speaker, when we compare things—for example, if you or I were to take our pet for a ride in the back of a



pickup truck, it's against the law to have that pet loose in the back of the truck. You have to restrain it with a leash and so forth. Yet, as human beings, we can sit or stand in the back of a truck.

I want to make reference to the last couple of years, when we strengthened our seat belt legislation in the province of Ontario. It tends to lead us to believe, with some of the wording in the legislation—I don't have it in front of me—that this is covered. Well, it might well be covered, but I talked to some police forces that are supporting this bill—it is quite vague. Do we want to debate vagueness after somebody is hurt or has lost their life, or can we give our police the authority to sort of control it before an injury happens? So we can argue that piece. It's certainly addressed, but it is very vague.

1410

Some of the concerns that came up the last time this bill was introduced were some exceptions. I, for one, sometimes ride in the back of a pickup truck during parades. I'm sure we all do in this Legislature. But during the consultation that the Ministry of Transportation did back in 2007, the ministry spoke with a number of groups—actually quite a large number of groups, from agriculture to labour unions and construction—saying through regulations, and these came up pretty clearly during the consultation process, we could put assurances in place that we can deal with those issues.

For example, through the agricultural sector, one of the things that came up was that this might create a challenge for the agricultural industry, and I come from a rural community. But, for example, we could have exemptions that riding in the back of a pickup truck from farm to farm might be permissible as long as it's not on a highway. I think we can deal with those issues. Those two young folks I spoke of were just a bunch of folks that got together for a good time.

It's the same with tourists. For example, sometimes we sit here in front and we see some tourist buses open, double-decker buses, that might not be restrained. But those folks are very well controlled. They probably don't go over 20 kilometres an hour. We can build that through regulation.

I just want to take a minute. First of all—I should have done this upfront—I need to thank my staff, the legislative folks who helped us put this together and review it for this time, for their hard work. Obviously, as you know, our lives are pretty busy. Also, I do want to acknowledge the Port Hope Police Services Board, the Ontario Association of Chiefs of Police, the Quinte West OPP detachment and the Cobourg Police Service board. I do have one of the many letters I got from Peter Nielsen from Cambridge, Ontario, supporting this piece of legislation to move forward.

Wrapping up my time here: We've already done a lot of work on this. I've read that the chronology of things went through. It already went to committee. We had some consultations.

I also understand that we're two years down the road now and there might be some new ideas that we need to

incorporate into this. I'll say upfront that if this bill is successful today in getting approval in second reading, I'll certainly recommend that it go to committee for further consultation. I think we need to make it as right as we possibly can with today's information. Having said that, I'm looking forward to hearing debate from all sides of the House, and comments. I hope I can get everybody's support.

**The Acting Speaker (Mr. Jim Wilson):** Thank you very much. Further debate?

**Mr. Peter Tabuns:** It's a pleasure to rise in support of the bill and, frankly, to thank the member for his efforts on behalf of road safety in this province. Just as the member for Brampton–Springdale with a previous bill stood up, came forward with very practical, very reasonable legislation for dealing with a safety issue to protect lives, I appreciate what this member has done.

I know there will be questions that will have to be resolved in committee about how we deal with some of the circumstances that present themselves in the far north or in rural parts of Ontario, where there are situations requiring people to ride in the back of trucks for work-related purposes. I leave that to committee to sort through.

But Mr. Rinaldi is quite correct: People in the back of trucks, unrestrained, going at high speed, are in danger of losing their lives, in danger of being profoundly injured or maimed. For us to take action is entirely consistent with all that's been done in this province historically around seat belts, around redesign of cars, around standards, so that people get to live their full lives, so that people aren't forced to become charges of the state or simply in situations where their lives become insufferable and unbearable. I appreciate the circumstances that led him to introduce this legislation, and I think it's entirely reasonable for this piece of private member's legislation not only to pass here on second reading, but to go through committee and third reading and be introduced as law in this province. If we are going to look after ourselves, and if we're going to look after the next generation, we have to take these kinds of steps. Again, I thank him for coming forward.

**Mr. Khalil Ramal:** I'm privileged and honoured to stand up and speak in support of the bill brought forward by my colleague and seatmate from Northumberland, Bill 74, An Act in memory of Jay Lawrence and Bart Mackey to amend the Highway Traffic Act.

I know the member is a great advocate for many different issues, and today he is bringing to this House a very important safety issue. He mentioned in his speech the importance of passing this bill in order to protect lives in our communities across Ontario. As you know, so many people think it is easy to put somebody in the back of a truck without a seat belt, without anything, and then drive on the highway at speeds of 70, 80 and sometimes 100. Sometimes they are surprised when they push the brake and the people who are in the back of the truck fly into the air and get injured or die. As he mentioned, statistics say that 10 people on a yearly basis



die across Canada, and a great number die across Ontario. He gave the example of two people from his riding who died in the year 2000.

It's important for us, as a Legislature, to bring forward bills and laws to protect the lives of the people of Ontario. We and the opposition need to make sure that all the rules and regulations in this province are being utilized in a safe way.

He mentioned that there are to be some exemptions. As you know, recreational trucks being used in the province for different reasons often don't speed; they go 10 or 20 kilometres per hour. Also, we see a lot of double-decker tourist buses in front of Queen's Park or in Toronto and many different tourist areas in Ontario. Those will be exempt. But the most important thing we're talking about is the pickup truck. It's open in the back, and people jump in and then go on the highway. This will cost a lot of lives.

This issue is also important for our health care, because, as you know, we have a lot of stress on our health care system. We cannot open more ways to keep the stress on health care and create more injured and disabled people, and more people losing their lives. It's our responsibility to make sure that all the people in this society, in this community, in this province will be protected.

Ironically, as my colleague and seatmate mentioned, if you have a dog or cat and you put it in the back of a truck, you have to put it on a leash and tie it to the truck, but if you're a person and sit in the back, there's no regulation, no rules. It's just amazing. When I spoke in support of this bill for the first time in 2005, when he first introduced it in this place, I thought this already existed in Ontario.

Sometimes when we open the books and start monitoring and examining things, there's a lot of dangerous stuff not being regulated in the province. You wonder why not. That's why colleagues from different sides of the House bring issues, like my colleague from Brampton brought earlier: sprinklers in single-family homes to protect lives in our communities. Many members before her have brought different ideas and bills to this House to enhance our ability to govern the province and protect the people of Ontario.

I think my colleague and seatmate, the member for Northumberland, brings a very important issue to this House today. It's about safety, about saving lives and about protecting the people of Ontario. Sometimes we feel young and strong; we think nothing will hurt us. But we cannot take anything for granted. Sometimes we use a lot of things, a lot of methods, a lot of ways, and we think we are able to deal with them. But we are weak creatures, and if we don't create laws and rules to protect ourselves and protect others, we'll leave ourselves vulnerable to many different dangers. That's why I'm standing up today in support of this bill and hopefully others will stand up and support the bill too.

1420

**Ms. Helena Jaczek:** I rise in the House with great pleasure, and I mean that with all sincerity. This after-

noon is proving to be one of those occasions when we seem to be able to reach consensus relatively easily. Of course I support Bill 74, An Act in memory of Jay Lawrence and Bart Mackey to amend the Highway Traffic Act, and I'd like to commend our colleague the member for Northumberland—Quinte West in his persistence in this regard, in bringing this private member's bill forward again, following on his predecessor in his riding, a member of a previous government, who had initiated this.

Clearly, from my the point of view, public safety—prevention of death, prevention of injury—is absolutely paramount, and I view it as a duty of this Legislature to do what we can in terms of legislation and regulation to optimize the possibility of our constituents living their lives to the full.

I was particularly pleased to see how many letters of endorsement the member for Northumberland—Quinte West received, particularly from police forces across the province. We need to understand that for first responders—and seeing the fire chiefs here today makes me think, of course, that it's not only the police that have to transmit often very tragic information to families, but so often the firefighters, as our colleague from Eglinton—Lawrence has pointed out, are in fact the first on the scene and are often very much affected, as are paramedics. Obviously, anything we can do to have our first responders less exposed to these critical incidents is certainly something that I would applaud.

I was interested in the member for Northumberland—Quinte West mentioning parades and so on. I had the great good fortune to be involved in the Nobleton parade, in the great township of King in my riding, and I was presented with a 1968 Mustang convertible—red, of course—in which to ride. I immediately hopped onto the back, but I must say, I was following Queen Victoria. Queen Victoria actually made a special visit that day; she was in an absolutely splendid black carriage with a couple of wonderful horses leading the way. But as we proceeded down Highway 27, we did stop and start on a number of occasions, and even in that regard, there is a certain risk. These are things that clearly we need consultation on, and committee will no doubt be the place to have that kind of further consideration of perhaps what should be in the regulations in this bill. It is certainly without any hesitation that I will be supporting this piece of legislation. Again, I wish to congratulate the member for Northumberland—Quinte West in bringing it forward today.

**Mr. Michael Prue:** I rise in support of the bill in order to send it to committee. It has been before committee before. I think that the bill does need some tinkering—I will be very blunt. I think it needs some further discussion on how it is to be effected.

I'm a city boy—I'm from Toronto. I've said this before. I've grown up in this city my entire life, save and except for one year in Ottawa, and that hardly qualifies as small-town Ontario. So I've spent my whole life in big cities: this one and Ottawa. I cannot imagine allowing



people in a built-up metropolitan area to ride in the back of a truck. I did see that quite regularly in my youth, but I have not seen anyone doing that for years and years, and justifiably and with good reason; it is because it's simply too dangerous. Having said that, we all know that every place in Ontario is not like Toronto or Ottawa or Hamilton or London or Thunder Bay. There are many, many places in this province where it may be necessary—either for survival or to make a living—for people to be transported in the back of a truck.

The one that comes immediately to mind is farm workers who are being transported from a bunkhouse or a farm compound out into the fields or out into the adjoining field, even if they do have to go down a minor roadway or two in order to earn their livelihoods, in order to be brought back at lunchtime, in order to be brought back at the end of the day. Sometimes the distance, even if it is only a kilometre or two, is simply too long for weary people who have hard work to do.

I want to start to think about the farm workers and about the ability to transport those farm workers under conditions which are not nearly so hazardous as cars zipping in and out and around in big cities. They are likely to be the only car on the road and there is a great unlikelihood of car accidents.

I also want to think about rural communities and isolated communities that do not have access to highways. This is true in large swaths of northern Ontario, particularly in our aboriginal communities and the Treaty 9 area and north of Thunder Bay and over towards the Manitoba border.

I have had the privilege and the honour of going with members of this Legislature to a number of such communities across northern Ontario. We did so, in part, with the bill to talk about sharing arrangements for our aboriginal communities and how we could help them, in the way that we do with other municipalities, in order to allow them to gain some of the taxes from development on their lands. I know that members of this House who went on that committee will remember the isolation of many of these communities, where there are no roads into them, where the only roads that exist, exist in and around the community itself. There may be five or six or 10 kilometres of roads in the area surrounding an isolated community. They are not paved, they are largely gravel, and the people who travel on those roads are people only from the community.

When you fly in, of course, there's no other way to get there, save and except if you go in the winter. Over the frozen muskeg, you can sometimes make your way in from what we consider, in southern Ontario, to be isolated communities like Sioux Lookout and places like that, which really aren't isolated at all.

We need to understand the necessity in those places of the trucks and the vehicles that people drive. It would not make sense in many of these communities, and you will hardly ever see a person with a car like in southern Ontario. It makes absolutely no sense economically for them to have a car that seats four or five people in relative

safety, enclosed with a roof over it, because they need their vehicle for so many things. They need their vehicles for hunting, because in most of these isolated communities the only protein that they get has to be what they shoot. There may be a Northern Store, but if you go in there and you buy a chicken that you can buy in Toronto for 99 cents a pound, I will guarantee you that you will pay \$5 or \$6 or \$8 a pound for that chicken in the Northern Store. Very few people can eat that, or they can't have turkey, they don't buy beef, they can't afford pork, and the only food that they realistically have and protein that they have is what they shoot themselves, whether it be geese in the spring or moose in the fall or the fish that they catch from isolated lakes. That's where it comes from, that's what they eat, and they need the truck to gain access to some of those locations. They need the truck not just for themselves, but oftentimes for many people in the community who go out in a hunting party or a fishing party. They need that truck to go out even for such basic needs as collecting fuel for the fire by which they heat their homes. People go out with an axe or a chainsaw or a handsaw into the forest in order to cut down the wood to take it back to keep their families warm.

They don't go out individually, one or two in a truck. Sometimes they go out in great numbers, with the largest truck used to transport the fuel back. I want to think about them when we're doing this. I do not want them to be breaking the law. Even though it's highly unlikely that they will ever be stopped by a member of the OPP, they still in fact have their own aboriginal police people. I want people to understand that we need to protect their rights to the indigenous way of life that they have chosen.

1430

I also look at what is happening around the other provinces and note that in Newfoundland and Prince Edward Island there are no restrictions. In Manitoba you can sit in the back of the truck provided you are seated at all times while it is in motion. You can go in the back of a truck if you are working, and this would protect farmers and the like in Alberta, Nova Scotia and New Brunswick. I do agree that British Columbia and Quebec have a ban similar to that which is being proposed here today.

I also need to talk about the past history of Bill 153, which was the bill that preceded this, that the member from Northumberland—Quinte West put in the last Parliament. It went to committee. It had the very rare thing happening that it actually passed committee and was ordered back for third reading. But the government of the day, his own, decided not to bring the bill forward for a final vote.

I am asking the Liberals who are here again today—this is a good idea that needs some tinkering. We need to pass this legislation to save lives. There need to be members of the caucus who have the unmitigated gall, the temerity, to stand up to the Premier and to the cabinet and say, "We want this bill brought forward for third and final reading," should it get that far again.

**Mr. Tony Ruprecht:** Courage, you mean.



**Mr. Michael Prue:** Yes, you need courage. You cannot simply stand here today, as I told you on the last bill, and pass it and expect it to go off into oblivion. You have to stand up in your caucus. It is you and not me, and only you and not me, who can effect that change within the Liberal caucus. So go ahead; really try to do it. There are good bills emanating from all sides of this House from private members and they need to be acted upon. It should not just be the prerogative of the government House leader and the cabinet to determine. You all have a role, if you want this bill to pass, to make it so.

Having said that, again I ask you to look back when the bill comes, because there were some changes the last time. When it went to committee, the government members determined that you could not travel over 25 kilometres an hour. I ask you to stop and think: That's about the average pace of a horse. We are not going to be stopping the Amish and the Mennonites who are travelling around with horses—

**Mr. Ted Chudleigh:** That's a full-up gallop.

**Mr. Michael Prue:** Yes, that's about the full-up gallop of a horse.

We're not going to be stopping them in the back of their stuff. Stop and think about this in terms of farm communities. If we're going to allow the Amish and the Mennonite communities to transport people in sleds and things behind horse-drawn carriages at a pretty good gallop, we should think that it would be at least as safe in a truck.

Secondly, I think we also have to look at the necessity of transporting such things as wood and fuel and game for our aboriginal communities and those in isolated communities in the north, where they have to travel over rough roads and where they literally have no other way.

I would look upon these as exceptions that need to be made to the law. But the law itself, for most people, the overwhelming majority of the 13 million of us who live in southern Ontario, the overwhelming majority of Ontarians, is a good law whose time has come. We should join British Columbia and Quebec. We should ensure that road safety is paramount and that we save the lives of those people who are in trucks.

**Mr. Jeff Leal:** It is a pleasure for me to have a few minutes this afternoon to support the bill of my colleague, Bill 74, An Act in memory of Jay Lawrence and Bart Mackey to amend the Highway Traffic Act.

The member from Northumberland—Quinte West did introduce this bill in the last Parliament. Frankly, it's unfortunate that it didn't get ultimate passage, because this is a road safety bill, a very important bill. The member from Northumberland—Quinte West has a long and standing interest in road safety, certainly in the province of Ontario. When you review his personal background, he spent some time with the Fiat motor car company and Chrysler. Indeed, his family business, Brighton Speedway, promotes the safe operation of vehicles and road safety. So he has a very long and distinguished history in this area. It's very consistent with his own personal

thinking that he brought this bill forward to protect individuals riding in the back of pickup trucks.

In the last Parliament, when he introduced this bill, I know the member from Northumberland—Quinte West did an extensive consultation in his own riding. He was in Roseneath, Cobourg, Hastings and Campbellford, and I know so well that he took the opportunity to speak with individuals on those back concessions about his vision of how to improve safety on those back concessions, that took the lives of two very young people back in 2000.

I know his staff has provided some excellent research for us to quote from. He talks about how other provinces in Canada—British Columbia, New Brunswick, Northwest Territories, Nova Scotia, Quebec and Alberta—have various forms of legislation dealing with restrictions on riding in the back of pickup trucks. He certainly makes the plea this afternoon that Ontario, as the largest province in the Canadian Confederation, a province that's always prided itself on leading highway and public safety, should move forward with this particular bill.

He notes in his research: "Going back to the year 2000, the Canadian Public Health Association passed a resolution calling on all Canadian jurisdictions to take action to make it illegal for passengers to ride in the back of pickup trucks. The reason they did that is because they know that injuries happen, deaths happen..." and we shouldn't allow, as an advanced nation, for that to happen.

It went on to talk about: "Whereas the head is the most frequently injured body region following a fall or ejection from the back of a pickup truck, and the direct average cost of care during the first year following severe brain injury can be as high as \$300,000, with lifetime cost of care ranging from \$2.5 million to \$5.5 million—that's just from an injury." That's not a death, that's just from a severe injury and trauma to the head that results when you are ejected from the back of a pickup truck.

Also in his research, he said: "A Washington state study found the fatality risk is 10.4 times higher for persons riding in the cargo area than the risk to the general population involved in collisions. So it increases tenfold." One of the ways we could certainly reduce very serious injury and deaths in the province of Ontario is to move forward with Bill 74, and make it an act of this Parliament to protect people who are riding in the back of pickup trucks.

The member deserves full credit, based on the work of a previous member of this House, Mr. Galt, but certainly introducing it in the previous Parliament and bringing it forward now. This is a bill that needs to be passed in the province of Ontario. I commend my colleague for bringing it forward at this particular time.

**Mr. Frank Klees:** I'm pleased to rise to speak in support of this bill and commend the member from Northumberland—Quinte West for bringing it forward. There is considerable history to this bill, as you will know, Speaker. You were here as a member of this House when our former colleague, Doug Galt, who was the member then from Northumberland, first introduced



this bill in 2001, some seven years ago. At that time, it was a very moving debate, as we will remember.

I don't believe that there will be any member of this House who will vote against this bill. I don't want to presume that, but I can't imagine, because of common sense. What is so concerning to me, and I'm sure to other members of the Legislature, is why we now have the third reincarnation of this bill before us. It still is not law, and yet, to the person here, we speak about the importance of implementing some form of legislation with amendments. As former speakers have mentioned, there obviously are some areas that need to be refined. But why we are still here trying to move forward a piece of legislation that is just good common sense and is in the public interest is so frustrating for me as a member of this place. But we are going to remain eternally hopeful that this time the government of the day will hear the call of this private members' hour, will respond to the appeal of the member for Northumberland—Quinte West and all of his colleagues here and will in fact move forward with this bill.

1440

For the record, I want to put into context the real initiative for Mr. Doug Galt's bill originally. I was in the House at the time of the debate. I recall very well the parents of Jay Lawrence and Bart Mackey: John and Judy Lawrence were present at the time of that debate and Laurie and Linda Mackey were here as well.

In reviewing the file, I came across the committee hearings that took place at that time. I want to read into the record Mrs. Mackey's comments to the standing committee on June 11, 2001. It's so very close to this very debate that's taking place now, and unfortunately the parents of these two young men have watched the dithering of this place on an issue that I'm sure is beyond their comprehension as to why, when we've passed so many pieces of legislation that, in my humble opinion, are not nearly as worthy as this simple piece of legislation, and yet we've devoted hours and hours of debate and committee, and the government has wielded its power to implement that legislation. But here we are, still debating this.

I want to read into the record Mrs. Mackey's comment on June 11. It goes as follows:

"Honourable committee members: almost one year ago we both lost our sons Bart and Jay while riding in the back of a pickup truck. Our lives have changed forever ...

"We will never forget the devastation of police and OPP showing up at our door early in the morning of July 30, 2000 to inform us of their deaths. No one should have to bear that kind of grief. We miss them with all our hearts.

"We are astounded at how many people did not realize that it was not illegal to ride in the back of a pickup truck. Our stringent laws today seem to make everyone more safety conscious, but there's nothing safe about the back of a pickup. It offers no protection for the rider. One quick foot on the brake, and you're thrown around. No one is allowed, by law, to ride in their own vehicle

without a seat belt, so for drivers to allow riders in the back of a pickup just doesn't make sense.

"We are here today to try to have this very tragic loss of ours rectified by having a bill passed to make it illegal to ride in the back of a pickup. We only want to see that no other family or families have to go through the loss of any loved ones. Many provinces in Canada—I believe it's five—have passed this bill, and we feel Ontario is behind the times on a very big safety issue. Referring to the name of this bill as the Jay and Bart clause, we feel, is a terrific honour in their memory and would perhaps bring this very important issue closer to the minds of people and prevent further deaths or accidents.

"Before we close, we would like to bring your attention to the ribbons we are wearing. We are not overly religious families, but we do have a belief system and we chose these colours for a reason, white signifying the light and the love of God, which we know surrounds us, and green signifying a healing process which we all agree would be a great beginning with the passing of the outside riders act, accompanied by the Bart and Jay clause.

"I thank you for your time and support."

It's been a long time—seven years—since we heard those words in the standing committee in this place. We've heard members speak to this issue. I'm sure the parents of these two young men would be extremely overjoyed to see the legislation passed, as they appealed to us some seven years ago.

I and my colleagues will certainly be supporting this bill. We will be encouraging that it does go to committee. There are some specific areas that must be addressed. We had some significant amendments proposed in 2001 by the Ministry of Transportation. The last time this bill went to the committee, there were also some amendments that were recommended at that time. They deal with a number of matters in terms of the scope and authorities of the police, in terms of the age limits that would be involved in being able to charge an individual, the level of responsibility and so on.

In the final analysis, it is the right thing to do. We will be supporting it.

Again, I commend the member from Northumberland—Quinte West for bringing this legislation forward and we look forward to the Premier and the Minister of Transportation embracing this legislation. Whether they choose, as often is done, to incorporate this into a government bill or whether they choose to pass it as a stand-alone bill is going to be up to the government, but in whatever form it's brought forward, we will certainly be supportive. In fact, I am hearing that there may well be a Ministry of Transportation government bill being tabled in the House at some point soon. This is a fairly straightforward piece of legislation, and what we could do perhaps is ensure that we have the committee hearings in time to incorporate this legislation into that government bill, if the government so chooses.

To my colleague the member from Northumberland—Quinte West, I say thank you again for not allowing this issue to remain on the sidelines. I want to again thank the



former member from Northumberland, Mr. Doug Galt, our former colleague, for his initiative. Above all, I want to encourage the parents of Jay Lawrence and Bart Mackey and assure them that by the actions of this government in passing this legislation—and implementing it, which is the real issue—they can take solace that other lives will be saved and that it will be to the honour of Jay Lawrence and Bart Mackey.

**The Acting Speaker (Mr. Jim Wilson):** Further debate? Seeing none, Mr. Rinaldi, you have up to two minutes for your response.

**Mr. Lou Rinaldi:** I certainly want to thank the members from London–Fanshawe, Oak Ridges–Markham, Beaches–East York, Peterborough and Newmarket–Aurora. I'm overwhelmed with the amount of support, and I thank you for that. Everything they said mirrors the intent of the bill. Do we have to address some of those fine details? Absolutely.

I didn't have time to include this as part of my opening remarks, but I must tell you just a quick, short story. Just last summer, at home—we have quite a sizable piece of property—I'm ashamed to admit I was riding in the back of my pickup truck. I was sitting on the tailgate with somebody who was driving in front, probably not more than five kilometres an hour. It's embarrassing, but I do have to admit it.

1450

When we got to the point of destination in front of my house, I thought he was stopped. But he wanted to go a little bit further to get me closer to my door. As he almost came to a stop, I tried to step off the back gate, and at the same time, he accelerated. I don't need to tell you where I landed. For about three weeks I limped, but I was embarrassed to tell people why I was limping because of the type of legislation that I was trying to bring forward. I guess my point is that even at those minute speeds, when you don't have control of your own destiny, things could happen.

I'm encouraged by what I hear today, and I certainly hope that we can make some real headway. I want to thank everybody for their support. Hopefully I can get your support during the time of the vote.

**The Acting Speaker (Mr. Jim Wilson):** We'll vote on this ballot item in 50 minutes' time.

## PROPERTY TAX DEFERRAL ACT, 2008

### LOI DE 2008 SUR LE REPORT DES IMPÔTS FONCIERS

Mr. Shurman moved second reading of the following bill:

Bill 78, An Act to provide property tax deferrals to low-income seniors and low-income persons with disabilities / Projet de loi 78, Loi visant à accorder des reports d'impôts fonciers aux personnes âgées à faible revenu et aux personnes à faible revenu atteintes d'une invalidité.

**The Acting Speaker (Mr. Jim Wilson):** Mr. Shurman, pursuant to standing order 97, you have up to 12 minutes for your presentation.

**Mr. Peter Shurman:** It gives me great pleasure to rise in the Legislature today to speak on Bill 78, An Act to provide property tax deferrals to low-income seniors and low-income persons with disabilities—my first private member's bill.

This bill will allow low-income seniors and disabled persons to remain independent in their homes longer. It will stimulate the economy by providing additional disposable income to low-income seniors and disabled persons, and it will provide a common property tax deferral program across Ontario and get rid of the current patchwork system.

Seniors' issues are near and dear to my heart. As many of the people in this House know, my mother passed away not too long ago. In caring for her, my family and I were exposed to a very wide range of issues faced by our seniors, the builders of our province, as they age. We're all aging. Indeed, our province is greying. The implications are vast, covering long-term care, health and the economy, notably for those on fixed incomes.

The fact is, most seniors and disabled persons want to be independent. Independence is probably the strongest of the human instincts. They want to stay in their homes—so do all of us in this chamber, ultimately. They want financial freedom. Is this too much to ask? Not if we can make that happen, basically at no cost to the taxpayers of Ontario.

One's home provides a source of pride and familiarity and offers a genuine sense of dignity, which is of importance to an aging population. For many of us, the most significant investment we will ever make is the purchase of our family home. However, every year across this province, ever-increasing property assessment and property tax rates threaten that investment. All too often, such increases force low-income seniors and disabled persons to leave their homes, homes that they raised their children in, because they can no longer afford to pay the taxes on their properties.

I believe that our seniors and disabled persons across Ontario deserve better, and I know that we in this chamber can do it. It is time that we as legislators, with Bill 78, provide the assistance that our seniors and disabled people deserve.

Bill 78 has received support from organizations representing seniors across this province. I had the opportunity to meet with Ms. Susan Eng, vice-president of advocacy for CARP, Canada's Association for the Fifty Plus. I also had the opportunity to meet with Mr. Warren Carroll, president of the Thornhill Seniors Club, a very vibrant club in my riding. He provided the initial impetus for this effort today. Both of these organizations recognize the need for real and meaningful property tax relief for seniors and disabled persons on fixed incomes. Both organizations support Bill 78.

Ms. Eng has stated, "CARP represents an important demographic, including those on fixed income who risk



being driven out of their homes by rampant property tax increases. Until the government fixes the property assessment process, Bill 78 offers real relief to beleaguered seniors."

Mr. Caroll has stated, "As president of the Thornhill Seniors Club, with some 830 members, I have heard of some owners experiencing serious difficulty in keeping their own homes because of rising taxes. I hope that all MPPs, regardless of party affiliation, endorse this bill to its fullest extent."

My parents owned three homes during their period as parents in their lifetimes. They never completed paying any single one of them off. They never even got enough equity out of those homes to make a difference in their lives. How lucky I am, along with my own brother and sister. As a family, we all own our homes, have all paid our mortgages, we're free and clear, and we worked hard to do that. I believe that speaks to hundreds of thousands of Ontarians who have done exactly the same thing, and yet here are so many of them on fixed incomes in the senior years, who are incapable or worried about being incapable of retaining those homes because of the burden of rising municipal property taxes.

The Liberals have attempted to address this serious issue in their most recent budget, and I commend them for a good start. They, like we in the Progressive Conservative Party of Ontario, recognize the realities faced by both our elderly and our disabled citizens. They propose to provide eligible seniors with \$250 for property tax relief in 2009, \$500 in 2010 and \$500 again in 2011. If you total the amounts, that's \$120 million in spending for 2009, \$240 million in 2010 and \$260 million in 2011.

That money could be saved and put to better use, because Bill 78 is win-win legislation that does not cost extra money to the province of Ontario—I repeat, does not cost extra money, indeed any money, to the province. It provides a significant degree of support for low-income seniors and disabled persons, and it parallels legislation in other provinces. I'll elaborate on that. This type of plan has had huge take-up in the province of British Columbia, for example. The only cost to the province is the administration of the program itself, which in turn is offset by the administration fee that would be charged for the deferral.

It's brilliant in its simplicity. I wish I had thought of all of it myself. The province invests our money to generate interest and protect our precious tax dollars. Often that investment strategy addresses money markets and is backed by mortgages; mortgages equate to houses, houses that people live in. So let's invest it in the same way, collect the interest, but in so doing, protect Ontarians and inject new millions into the consumer economy.

To date in this country, property tax deferral programs are offered at the provincial level in British Columbia, Prince Edward Island and Nova Scotia. Similar programs exist at the state level across the US. However, here in Ontario, property tax deferral programs are only offered at the municipal level as prescribed by the Municipal

Act, 2001 and City of Toronto Act, 2006. This has created a patchwork of municipal programs that puts strain on municipal revenue streams. These programs are not particularly user-friendly, and they have limited participation rates and very limited effectiveness.

For example, in 2006 the city of Toronto had 70 applicants for its deferral program, Peel had 64, and 40 was the total in London. Many municipalities, such as Muskoka, Niagara, Sudbury and Thunder Bay, have zero participants, despite high senior citizen populations. In fact, I might note that Sudbury media contacted me yesterday, having already heard about the debate of this bill, saying there was great interest there because of the senior population. By comparison, British Columbia has a take-up of 65,000, with a population well less than a third of the population of Ontario. It is time for Ontario to join British Columbia, Nova Scotia and Prince Edward Island by introducing a harmonized property tax deferral system province-wide.

Ontario's current property tax deferral system burdens municipalities and makes any real assistance to low-income seniors and disabled persons difficult to provide. Some \$250 coming next year and nothing this year doesn't go very far if your property tax bill is—and I'll take an example from the city of Toronto—on a fairly modest house, \$5,000, \$6,000, \$7,000 or \$8,000. Bill 78 seeks to remedy this problem by alleviating municipalities of the responsibility for property tax deferrals through the creation of a common program province-wide—equal treatment city to city, area to area. Bill 78's deferral program will provide meaningful relief for eligible property owners regardless of the municipality in which they live.

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This is not a money bill. By registering a lien on affected properties, funding the municipalities for what is not forthcoming, charging a competitive rate of interest no different than what Ontario receives on provincial investments and relying on revolving participation, the program becomes self-sustaining, ending with the death of the participant or sale of the property—very simple and very direct.

Under Bill 78, eligible owners will be able to defer up to a maximum of \$10,000 per year on taxes owed on a principal residence. In terms of the cost to taxpayers, when seniors or disabled persons move into provincially subsidized residences, we all pay. Bill 78 is about avoiding that for extended time periods and helping people preserve a lifestyle in what we all recognize as an average longer, more productive lifetime.

By passing this bill, we as MPPs have an opportunity to make a lasting and positive impact on the lives of these people and their families. As we all know, property tax is paid from after-tax dollars, further restricting what can be done with supposedly disposable income, which is especially problematic for seniors and disabled persons on fixed incomes. By passing Bill 78, we will be freeing up a sizable portion of disposable income for these two beleaguered populations, who can then spend that money



on much-needed consumer items, thus providing a modest, or better than modest, injection into our troubled economy.

In deliberating the merits of this bill, I encourage my fellow MPPs to think about the people it will help; for example, an elderly couple who outright purchased their home after the war and who now cannot afford to keep that home. We've all seen the distress that high assessments and property tax rates have caused some of our seniors, who are worried about losing their homes. This is not something that our seniors, who have given so much, should have to endure. We must act.

We must also think of the disabled person for whom homeownership provides real freedom. Are we to allow them to become homeless or dependent on an already overburdened system? I think not. The Ontario that I know is compassionate; it helps those in need of a hand. That's what Bill 78 is all about and I urge all MPPs to lend their support to this bill.

**The Acting Speaker (Mr. Ted Chudleigh):** I thank the member from Thornhill. Eloquent as always, perhaps more so today because his wife is in the gallery. Welcome, Mrs. Shurman.

Further debate?

**Mr. Peter Kormos:** I just want a few moments to address this bill because I know that my colleague the member for Beaches–East York, Mr. Prue, who is our critic in this area, wants to speak to it with a broader perspective, perhaps, than that with which I will address it. Our member from Parkdale–High Park, Cheri DiNovo, is also going to be speaking to it. To the folks who are watching and listening, over the course of the next 40 minutes you're going to be hearing from Michael Prue and Cheri DiNovo on this important issue.

I, for one, am pleased and proud to say that Mr. Shurman has delivered to this chamber, in a short period of time after his election for the first time to this assembly, a very enlightened, timely and relevant bit of legislation. From time to time—and it's unfortunately far too rare a time—opposition members' private members' bills go to committee and indeed, after fine-tuning in committee, they get passed. Of course, once a bill gets second reading, it is no longer a private member's bill; it then, in fact, becomes a government bill, such that the government has absolute control over whether or not to advance it through the legislative process.

I believe strongly that this bill should go to committee and I also believe strongly that the government should cooperate and actively participate in committee, with the view to addressing any perceived shortcomings or flaws in the bill. But I submit as well that the thrust of the bill, one which is designed to protect aging and otherwise lower- and fixed-income people from distress by ever-increasing property taxes—to make this particular method, which is available only in those municipalities that have elected to introduce it, a province-wide program would indeed be an enlightened, progressive step. I look forward to seeing our critic, Michael Prue, participate in committee hearings around this bill as it

advances through the legislative process, hopefully with success.

**Mr. Tony Ruprecht:** I'm delighted to rise and speak on Bill 78, by the member from Thornhill, "to provide property tax deferrals to low-income seniors and low-income persons with disabilities." The intent of this bill is very good. The intent is to ensure that seniors who are mostly on fixed incomes are able to stay in their houses. But Mr. Shurman is actually saying congratulations to the Liberals for having a plan in their budget to help seniors on fixed incomes and to ensure that seniors can stay in their houses.

**Mr. Peter Kormos:** Did you hear him say that? I didn't hear him say that.

**Mr. Tony Ruprecht:** Yes, he did congratulate us.

The intent is great, but there is a difference between the plan by the Progressive Conservatives and the plan by the Liberals. There is a big difference—

*Interruption.*

**Mr. Tony Ruprecht:** There's a call right now.

We wanted to make sure to support our proposal in our budget, which indicates a better plan than that being proposed by the member from Thornhill. There is a vast difference.

What is this difference? As we know already—I did bring a tax bill from the city of Toronto—the interesting part, and the member already indicated that, is that at present the city of Toronto and many other municipalities across Ontario already have tax deferral programs. In other words, anybody who makes less than \$40,000 a year, and most seniors of course are in that category, is able to apply to defer their taxes. It's already on the books. Secondly, the city of Toronto and many other municipalities also have on their books a cancellation program, already in place, which I might argue is much better. A cancellation program is much better for seniors, who need the money on a daily basis, than a program that speaks of deferrals.

The member's bill talks about deferrals, of pushing it off to another year, to maybe another five or 10 years. But seniors are proud of their homes. In my riding, I want to tell the member from Thornhill, when people pay off their mortgage there is a party. They invite their neighbours. There are balloons on the front door. That's terrific: They've paid off their mortgage. I want to tell the member from Thornhill that the intent of what he is proposing today is great, but what is the fact of it? The fact of it is that all you're doing is putting a lien against a property, against the city of Toronto, against the seniors, against all those who are on fixed incomes. That's the fact.

Therefore, I ask you, what's the better plan; the Liberal plan, which talks about a tax grant and a tax credit? We made sure there is \$1,100 in the pockets of seniors. According to the member from Thornhill, how much are they going to put in their pockets? Nothing. It's a lien and has to be paid back. I ask you, I ask the members and I ask the people of Ontario, which is the better plan: a deferral plan—a lien plan—or a grant plan?



It is clear, because we have the evidence. Which of these two plans is indeed much better? I know you're going to speak about this. I know that. But the whole matter can simply be done in a nutshell. I want the people of Ontario to simply remember this: Liberal means credit and grants; Conservative means deferrals and liens.

1510

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Ms. Laurie Scott:** Thank you, Mr. Speaker. I'm just trying to recover from the last speaker's comments.

I'm pleased to rise in support of Bill 78, An Act to provide property tax deferrals to low-income seniors and low-income persons with disabilities, which has been thoughtfully brought forward by my colleague from Thornhill, despite what the previous member's comments were. I was also in the media studio yesterday to support my colleague from Thornhill; so was the member from Welland, as he said, and so was Ms. Susan Eng from Canada's Association for the Fifty Plus—all supportive of this piece of legislation moving forward.

Recent statistics show that seniors account for roughly 13% of Ontario's population. In my riding of Haliburton-Kawartha Lakes-Brock, that number is significantly higher. Almost 20% of the population is in the seniors category, and we're growing. Many seniors are choosing to get out of the urban areas and come up to the less hectic pace of life and retire up in the riding of Haliburton-Kawartha Lakes-Brock. There are a significant number of them that have had cottages up there for many generations and have chosen to fix up their cottages and lakefront properties to make them suitable for living year-round, and thus become permanent residents, but having been connected with that community for generations and decades. That's a huge investment that senior citizens have, based on hard work all of their lives.

A recent report from WRAFT, Waterfront Ratepayers After Fair Taxation, shows some stunning changes in property values over the past years. In Haliburton and also in Muskoka, the median waterfront property values increased substantially, a higher rate compared to residential values—a 47% increase in median price for cottages versus an 18% increase for the residential properties for the years 2003-07—so assessment values have increased. Of course, there is a threat this year. We are already hearing the news reports of this triple whammy, after assessments had been frozen for the three previous years. That's certainly going to be reflected in my communities, and seniors and other vulnerable people on fixed incomes simply are not going to have the means or the resources to accommodate these huge increases in their property assessments.

No person can reasonably predict their property value going up to 47%, or even 18%, in a span of three years' time, and we certainly, in the campaign, had put a property assessment cap of 5% so that people knew that it wouldn't increase by any more than 5% while they owned that property, which would help seniors and

people on fixed incomes be able to stay in their houses for a longer period of time.

My colleague from Thornhill pointed out in his news release yesterday that this bill will help those people stay in their homes longer but will also help our economy, because they're going to have some more money in their pockets, so additional disposable income. Taking into account that I have such a large number of senior citizens residing in my riding, the deferral is going to be a big boost to the people living there and to the economy, with their able to stay in their homes longer. I know that June is now Seniors' Month, and we have 1.5 million seniors in the province of Ontario. I, along with the local member of Parliament from Haliburton-Kawartha Lakes-Brock, do seniors' seminars in three areas of our riding to try and assist seniors to be informed of what services are available for them. Every year I get property assessment questions—not being able to stay in their homes for various reasons, but certainly that's one of them.

This bill will certainly help low-income seniors and disabled persons to stay in their homes longer. I encourage all members of the Legislature to look at this. We just heard one of the government members speak, but I hope that others are going to speak positively of this and I encourage everyone here today to support this bill.

**Ms. Cheri DiNovo:** It's an honour to speak to the bill of my colleague from Thornhill, and I commend him for it. It's an exciting moment when you bring forth your first private member's bill. The excitement, the thrill, the challenge of bringing forth your first private member's bill is only met by the depression, the sadness and the reality of what happens to that private member's bill once it gets into the hands of the government, which is that if you're really, really lucky it goes to a committee and it dies there. But thank you anyway. Thank you for the valiant effort on behalf of seniors, whom we celebrate in the month of June, and a special congratulatory note to the West Toronto Support Service, who helped me craft a motion for seniors, which is on the order paper, saying that seniors should get into galleries and museums that are financed by the provincial government for free. They used to. We should do at least that much for our seniors, and we certainly should do something to help them with their property taxes.

Unlike the comments by the member for Davenport—\$250 and \$500 is not going to do very much, particularly when on a modest house you're looking at taxes, certainly in the city of Toronto and, I'm sure, in Thornhill as well, of at least \$4,000 to \$5,000 and more per year. I know that in my riding I have seniors who are going to lose their houses if something isn't done when these new assessments come out. We all wait with bated breath for the new assessments to come out. Very cynically, the McGuinty government put a freeze on till after the election. The bad news will hit every mailbox in the fall, and we'll see our property taxes go up.

I want to say that our policy, in the New Democratic Party, is a freeze till resale. This is something we campaigned on. It's something that's done in jurisdictions



around the world—in California and others. Our critic, the member from Beaches–East York, will probably speak about our own response to what should be done about property taxes. We believe there should be a freeze till resale unless you put more than \$40,000 of renovations into your house, which will trigger a new assessment. This would affect everybody, not just seniors. It would also affect all those other low-income folk: single mothers who are having a real struggle and a time of it now, those who have houses and are disabled—the member for Thornhill has captured that in his bill—and many others. Even young couples are going to be caught when the new assessments come out in the fall, not to mention small business owners who are also just gearing up to come back at this government as soon as they get their bills. As the small business critic for the New Democratic Party, I'm particularly sensitive to their concerns, and they are very concerned about the possibility of huge increases that are going to happen in the fall.

I want to leave time for my colleague from Beaches–East York, who is the critic on this particular subject. I want to commend, again, the member for Thornhill for his hard work and also offer my condolences for what is going to happen to all that hard work. I want to congratulate all the seniors across the province who, without much help from this government, still manage to stay in their homes and manage to have some degree of quality of life. Let's hope we can improve it for them.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Khalil Ramal:** Thank you, Mr. Speaker, for giving me a chance to speak on Bill 78, An Act to provide property tax deferrals to low-income seniors and low-income persons with disabilities.

Unlike my colleague, I'm very positive, especially when members in this House bring different issues to us, especially private members' bills, because we get a chance to debate them, we get the chance to talk about many different issues and I believe it enhances our ability to understand many different issues.

Before us today is a bill talking about seniors. This is very important for all of us. Seniors in Ontario worked very hard for many years to build this beautiful province. I think it is our duty and responsibility, as elected officials, to give them some support when they get old and cannot support themselves. That's why our government made a good announcement last year to support seniors with a \$250 grant and a credit of more than \$600. In 2010, it will be a \$500 grant and a \$600 credit, almost \$1,100 for every senior on a yearly basis. I think that's a good initiative. The member for Thornhill mentioned that this will cost us almost \$125 million. You prefer it to go to some different areas. I believe it's a very honourable area in which to spend money, on seniors, because they deserve it. They've worked very hard, and I think they need our support when they get old.

1520

I looked at the bill and at different legislation across Canada, many different municipalities that brought for-

ward this issue. Actually, they already have it in the city of Toronto; they have a deferral system. They can defer their taxes, but they're charged interest on them. I think we shouldn't interfere with municipalities. Municipalities know what to do. They know their constituents very well. They have a right to bring this bill forward. I don't think it's our job in this province to micromanage every issue in the province of Ontario. I think municipalities across Ontario know their constituents well. They can bring it in if they want, and they have permission to do it.

I think it's our job, as elected officials in this place, as a government, to support seniors. It's our duty and obligation to support them by providing health care to them, by providing long-term-care facilities for them, by sending people to support them if they decide to stay at home while they are old, because many people like and prefer to stay in their home. That's why our aging strategy, which was announced by our government, is to send nurses and health care workers to their homes to support them. I think it's the right thing to do.

This is our obligation—not just deferring some of the taxes for one or two or five or six years or putting liens on their homes—because so many seniors are proud of their homes. They are proud when they pay off their mortgage. As a matter of fact, in my community of London–Fanshawe, when they pay off the mortgage, you know what they do? They gather their families and friends and neighbours and throw a party. They celebrate paying off the mortgage. I think our obligation, as I mentioned many different times, is to support seniors, not to defer the taxes for many years. In the end, they leave nothing for their kids and families.

I was thrilled and honoured when our government came up with a proposal and a project to support seniors by a grant and also by giving them some kind of tax relief. Also, our municipalities have a right to do so. If they want to, they can do it.

**Mrs. Joyce Savoline:** I am privileged to stand up this afternoon and support my colleague the member from Thornhill on his Bill 78, which adds yet another layer of relief for seniors on fixed incomes and for those who are suffering disabilities. I congratulate him on taking this action to protect our senior citizens and those with disabilities who have worked hard. They've paid their taxes. They've helped build this wonderful province that we can all be proud of. Anything we can do to relieve them in their golden years is something we should consider very seriously.

I only hope the members on the government side understand that regardless of what legislation they think is in place that protects and gives the appropriate level of protection to our seniors, in this instance, it is not enough. That is why we're proposing to add yet more protection to them. Our seniors are struggling to keep pace with all kinds of issues: the rising cost of shelter, gas, energy, food. Every day they're trying to make decisions about what they give up, whether they buy medication or whether they buy the food they need or whether they are able to have a little bit of entertainment.



I think these are decisions that should not have to be made at that stage of life.

They take pride in their homes. They want to stay in their homes. Their homes are filled with memories of their children growing up, their grandchildren coming for Christmas dinners and so forth. Bill 78 will offer our seniors and the low-income people with disabilities an opportunity to defer their taxes and give them much-needed relief from that stressful burden.

My riding, like many other ridings in this province, has folks who are growing in numbers, seniors who are facing these unique challenges, and I think we have a responsibility, an obligation, but most of all, we have an opportunity right now to help make a difference with that. Several provinces already offer this kind of property tax deferral, and I think Ontario should follow.

These folks aren't in a position to ask for more money. They're no longer working. They can't just do overtime to try to make up for what they don't have, so they truly are at the mercy of the economy. I think that's what gives us this ability to move in and help them.

Fortunately, our motivation here is to ensure the highest quality of life for our citizens in Ontario. But more and more, I'm watching with interest that this government looks at this side of the House as a think tank, picks up good ideas and then moves forward with them as a government bill. If you want to take ownership of it, fine, but do the right thing. I prefer to see politics parked at the door and for all of us to work together in order to make the right things happen.

So the comments today about what the Conservatives did, what the NDP did or what the Liberals did mean nothing to the person sitting at home, thinking about how to make their next pension cheque stretch. It is my great hope that Bill 78 receives unanimous approval today, and that I can go home to Burlington and tell my seniors and my folks with disabilities that this government is a caring government, it is a competent government, and it can move on. I look forward to that today.

**Mr. Michael Prue:** I rise in support of Bill 78. I do so understanding that it has a few warts. I want to deal with that, but in the end, I intend to vote for this bill.

What is happening here is this member's attempt to mitigate the circumstances after the three-year freeze comes off. We all know what's going to happen this September and October. It's going to be one of the worst Halloween scares. It's not going to be the kid in his mask coming around to your house, it's going to be the Halloween scare of you opening up the new MPAC assessment on your house, seeing the value they now put on it vis-à-vis your neighbours, and having that sinking feeling in your stomach that the taxes are going to skyrocket. It's not going to happen to just a few people. It is literally going to happen to millions of people out there in the province of Ontario.

So this member is attempting to do something to mitigate that three-year freeze when it comes to an end. I think people need to understand where the assessment increases are going to take place. They're going to take

place in urban Ontario versus suburban Ontario, so a place like downtown Toronto is more likely to get whacked than Scarborough or North York or the areas beyond.

People are going to find in rural Ontario that who is going to get whacked are those who own lakefront or riverfront properties, those who have recreational properties versus those who live in the adjacent or nearby small towns. We know that that is going to happen as well. What his bill is attempting to do is to mitigate against that.

Having said that—and that's why I'm going to support it, in order to help those who are disabled, in order to help those on fixed incomes, those who are retired. But in so doing, I have to question and I have to ask, if it is passed today, when it goes to committee—the bill will limit this to people who are receiving the GIS. It will limit it as well to those who are disabled, to be defined in the regulations, and who are also below the threshold, to be defined in the regulations.

I want to first talk about the pensioners. There are literally hundreds of thousands of people in this country and in this province who do not receive a pension. We are a land of immigrants. If people have come here and lived in this province and in this country for less than 10 years, they are not eligible for old age security or for the GIS. You have to think about them. Some of them own homes. Some of them have brought money with them to own that home. Some of them have been given the money by their children; some of them have found other ways in which to buy the house. They are every bit as much at risk as someone who is limited to the income from pension and GIS. So I think we need to look at this. I think that they are Canadian citizens and landed immigrants too, and we need to look at that responsibility, which has not been done in this bill.

The second thing is about the disability. In order to be poor in this province, if you use the low-income cut-off figures—the LICO, which they're called—you have to earn under \$19,000 a year if you are a single person. That's what the low income is. This does not define what disability is. Is disability somebody who is in receipt of Ontarians with disability? If so, the maximum payment you can get is some \$12,000 a year. That's the maximum you can get. That person would live in abject poverty, even if they were allowed to keep some of the money. What is the limitation? I feel very uncomfortable leaving this to a minister or a future minister; I think the bill should spell it out.

1530

I also believe that there are problems with the deferral in terms of the amount of money, which allows for up to \$10,000 a year. I cannot speak for all of Ontario, but the taxes of \$10,000 a year in Toronto equates to a home approximately valued \$1.3 million. That's what it equates to. I don't know how many people out there would think that that is a limit we should be supporting. I have some real problems with \$1.3-million homes receiving a deferral. If the person is that well off, I want them to stay



in their home but not necessarily that one. I want them to be able to pay their taxes, and I'm sure they would want to as well. If they have to downsize—people at a certain age do that as a matter of course in any event.

I am also disturbed a little about the “repaid with interest” portion because the interest can be quite large. Municipalities charge about 15%. I know that as a mayor I charged 15% on deferrals, and I believe it's still 15% or 18% today. I don't know of many seniors who would want to pay that kind of money. In fact, the member quite rightly pointed out that only 70 people took advantage in the city of Toronto. When I was mayor, there were only two or three who took advantage of it in East York, and it was for exactly that reason.

I am also troubled because I find that most of the municipal bylaws, including those from Toronto, Ottawa, Hamilton and other places, are superior to the contents of this bill because it gives the municipality and the council the authority to waive the fees.

With all of that, I'm still going to vote for it. There are some flaws here. We need to help, but please, it has to be done in committee.

**Mr. Bob Delaney:** It seems like I'm picking up a little bit where the member for Beaches—East York left off.

It's a very interesting proposal, and let me pick up on the remarks about the impact of compounding. If an interest rate is 15%, then the principal will double every five years. If it's 12%, it will double every six years.

This is a proposal that disproportionately rewards people who live in very expensive, high-end homes. A \$10,000-a-year property tax exemption in the city of Mississauga will mean that you live in a home that's valued at somewhere between \$1.5 million and \$2 million. This is money that comes off the property tax base of the city, and the member's bill is deficient in that it doesn't say what the city will do to recapture that lost property tax base.

The government's existing property tax relief across the province will subsidize seniors to the tune of some \$740 million. What impact will this proposal have? How many billions of dollars will it remove not so much from the provincial tax base but from the municipal tax base? This, in effect, will say to municipalities that in order to subsidize people who may be living in high-end homes and are deferring upwards of \$10,000 a year in property tax at interest rates that aren't specified and could be very high and could result in the very serious erosion of the person's equity in their very home—this will also transfer that missing property tax base to young starter families, the people who are buying townhomes and semis. The very people who, at the moment, are struggling to be able to afford to buy a home are not only going to have to carry the freight for themselves but increasingly the freight for people who are living in homes that could be valued at \$800,000, \$900,000, \$1 million, \$1.5 million, in which, with relatively few restrictions, these individuals under this proposal will be able to defer upwards of \$10,000 a year.

This hasn't been costed out, and this is a serious deficiency in this particular bill. This is not, of course, the member's intent. The member is a thoughtful person. The member is in his first term here. But this is surely the outcome of this particular proposal.

One of the other things the member has forgotten is that municipalities are required to provide relief from reassessment-related property tax increases and to provide it to low-income seniors or low-income disabled persons. So the essence of the member's proposal not only already exists, but it exists at the municipal level where it properly belongs.

When the member and his party had a chance to vote on the government's proposal in the last budget to increase the property tax credit from \$500 to \$625, they voted against it.

**Mrs. Christine Elliott:** I'm very pleased to add a few comments with respect to Bill 78, An Act to provide property tax deferrals to low-income seniors and low-income persons with disabilities.

I'd like to start off again by commending my colleague the member from Thornhill, who proposes what is, in my view anyway, an eminently sensible solution to a problem that continually presents itself in our community offices; that is, with seniors coming into our offices who are telling us that they're finding it increasingly difficult to cope with tax increases in the order of 4%, 5% or 6% per year without a corresponding increase in their incomes.

As has been indicated, most of them are on fixed incomes of either old age pension or disability pensions. The member from Beaches—East York also rightly pointed out that those are extremely low incomes that would be very detrimentally affected by increases in the tax rates on an annual basis.

I think it's a really great solution that has been proposed, and when you look at the seniors we're dealing with here—for most people, not just seniors—their largest asset is their principal residence, which, in most cases, has been entirely paid off, the mortgage has been paid off many years before. The problem is, it's not a liquid asset but it is an asset nonetheless.

What is being proposed here will allow the seniors to remain in their homes, when they otherwise might lose them—homes that they've lived in for many years, raised their families in—because they want to. But also, I should point out, in many communities there might not otherwise be adequate housing options available, particularly if you're speaking about someone with a disability who may already have had their home retrofitted to allow them to stay in the home. It doesn't make sense for them to have to move to another location because they can't afford the property taxes.

There are limitations on this, of course. It provides that people can either defer the property taxes until either they pass away or their spouse maintains the residence as their principal residence, until the person no longer is eligible for the tax relief or the home is sold, unless it's a



transfer between spouses, and, again, protects that spousal right to remain in the home.

The \$10,000 that has been mentioned as a limitation—I believe it was my colleague's intention that that would simply be an upper limit, that that would not be an amount claimed on an average basis. I would anticipate that the amount that would be requested for deferral on an annual basis would be a much smaller amount than that. So it just has to have a reasonable amount mentioned as an upper limit cap, and I think that is a reasonable amount.

How can that deferral be recognized that it is going to be protected? For anybody listening to this debate who is concerned about how that would be protected, it would simply be protected by registering a lien against the property. Certainly, we have a precedent for that in the province of Ontario with respect to the legal aid situation. That's been outstanding for many years. That's a situation where somebody who can't afford to hire a lawyer to act on their behalf in a family law or perhaps in a criminal law situation can have a lawyer to act on their behalf. Legal Aid Ontario registers the lien against the property and that's collected at such time as the property is sold or otherwise transferred.

I don't believe that there has been any suggestion that that has been an erosion on the existing tax base. I don't anticipate that if this legislation were enacted it would result in a further tax-base erosion either. As the member has indicated, the uptake on situations where the municipalities have offered this deferral hasn't been huge, but it is there for the benefit of the people who really need it.

I would certainly urge all members to consider supporting this bill. I think it's a great solution to a practical problem. It provides that level of support to people who truly need it in our communities.

**The Acting Speaker (Mr. Jim Wilson):** Mr. Shurman, you have up to two minutes to summarize your comments.

**Mr. Peter Shurman:** I thank all members who participated in this afternoon's debate on Bill 78, particularly the members for Beaches–East York, Burlington, Parkdale–High Park, Haliburton–Kawartha Lakes–Brock, Welland and Whitby–Oshawa for their support. I'd like somebody to explain to the member for Davenport that a lien beats the hell out of a loss. As for the members for London–Fanshawe and Mississauga–Streetsville, they seem to want to support this bill, but somehow or other, maybe they're a little bit constrained.

By no means is Bill 78 a be-all and end-all answer to the issue of property taxation and its impact on low-income seniors and low-income disabled persons. As Ontario's population continues to age, we as legislators will need to find new and innovative means to meet the needs of this important demographic. The government has moved, and we now have the power to go further. Bill 78 represents such a step, and I ask all of my fellow MPPs, regardless of party affiliation, to lend their support to this important piece of legislation. Certainly there are flaws; certainly they can be discussed. That's what committees are for.

We have seen it far too often, seniors and disabled persons forced to sell their homes because they can no longer afford to pay the property tax. This is Ontario, and we can do better. For many seniors and disabled persons in this province, there's precious little to keep them from joining the ranks of the poverty-stricken. Municipalities are not the right entities to provide the sort of relief required. However, we are able to do so here.

Can more be done to help our seniors and disabled persons keep their homes? You bet. The province could move forward with its promise to address the unfairness and unaccountability of the MPAC assessment system. However, this is a start, and it offers real hope to those who need it most.

**The Acting Speaker (Mr. Jim Wilson):** the time provided for private members' public business has expired.

#### MUNICIPAL RESIDENTIAL SPRINKLER ACT, 2008

#### LOI DE 2008 SUR LES EXTINCTEURS AUTOMATIQUES RÉSIDENTIELS DANS LES MUNICIPALITÉS

**The Acting Speaker (Mr. Jim Wilson):** We will deal first with ballot item 25.

Mrs. Jeffrey has moved second reading of Bill 72, An Act to amend the Building Code Act, 1992, the City of Toronto Act, 2006 and the Municipal Act, 2001 with respect to fire sprinkler systems in new residential buildings. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**Mrs. Linda Jeffrey:** I respectfully request that this bill be sent to the Standing Committee on Regulations and Private Bills, please.

**The Acting Speaker (Mr. Jim Wilson):** Is it agreed that the bill will be sent to the committee? Agreed.

#### JAY LAWRENCE AND BART MACKEY MEMORIAL ACT (HIGHWAY TRAFFIC AMENDMENT), 2008

#### LOI DE 2008 COMMÉMORANT JAY LAWRENCE ET BART MACKEY (MODIFICATION DU CODE DE LA ROUTE)

**The Acting Speaker (Mr. Jim Wilson):** The second item is ballot item 26.

Mr. Rinaldi has moved second reading of Bill 74, An Act in memory of Jay Lawrence and Bart Mackey to amend the Highway Traffic Act. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**Mr. Lou Rinaldi:** I request that the bill be referred to the Standing Committee on General Government.

**The Acting Speaker (Mr. Jim Wilson):** Is it agreed that the bill go to general government? Agreed.



PROPERTY TAX DEFERRAL ACT, 2008  
LOI DE 2008 SUR LE REPORT  
DES IMPÔTS FONCIERS

**The Acting Speaker (Mr. Jim Wilson):** The next ballot item is ballot item 27.

Mr. Shurman has moved second reading of Bill 78, An Act to provide property tax deferrals to low-income seniors and low-income persons with disabilities. Is it the pleasure of the House that the motion carry? In my opinion, the nays have it.

**Mr. Peter Kormos:** Mr. Speaker, you didn't call the vote, "All those in favour, say 'aye.'"

**The Acting Speaker (Mr. Jim Wilson):** Oh, sorry. Good point.

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Sorry about that. Call in the members. This will be a five-minute bell.

*The division bells rang from 1544 to 1549.*

**The Acting Speaker (Mr. Jim Wilson):** Mr. Shurman has moved second reading of Bill 78. All those in favour of the motion will please rise and remain standing.

**Ayes**

Chudleigh, Ted  
DiNovo, Cheri  
Elliott, Christine  
Hardeman, Ernie

Klees, Frank  
Kormos, Peter  
Prue, Michael  
Savoline, Joyce

Scott, Laurie  
Shurman, Peter

**The Acting Speaker (Mr. Jim Wilson):** All those opposed to the motion will please rise and remain standing.

**Nays**

Aggelonitis, Sophia  
Albanese, Laura  
Arthurs, Wayne  
Balkissoon, Bas  
Best, Margaret  
Cansfield, Donna H.  
Colle, Mike  
Delaney, Bob  
Dickson, Joe  
Fonseca, Peter

Gravelle, Michael  
Jaczek, Helena  
Kular, Kuldip  
Kwinter, Monte  
Lalonde, Jean-Marc  
Leal, Jeff  
Levac, Dave  
Mangat, Amrit  
McNeely, Phil  
Mordidi, Reza

Pendergast, Leeanna  
Phillips, Gerry  
Qaadri, Shafiq  
Ramal, Khalil  
Rinaldi, Lou  
Sandals, Liz  
Sergio, Mario  
Takhar, Harinder S.  
Wynne, Kathleen O.  
Zimmer, David

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 10; the nays are 30.

**The Acting Speaker (Mr. Jim Wilson):** I declare the motion lost.

*Second reading negated.*

**The Acting Speaker (Mr. Jim Wilson):** All matters relating to private members' public business having been completed, I do now call orders of the day.

**Hon. Michael Gravelle:** I move adjournment of the House.

**The Acting Speaker (Mr. Jim Wilson):** Is it the pleasure of the House that the motion carry? Carried. This House stands adjourned until Monday, June 2, at 9 a.m.

*The House adjourned at 1552.*

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Brownell, Jim (L)	Stormont–Dundas–South Glengarry	
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Dickson, Joe (L)	Ajax–Pickering	
DiNovo, Cheri (ND)	Parkdale–High Park	
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Elliott, Christine (PC)	Whitby–Oshawa	



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Hampton, Howard (ND)	Kenora–Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie (PC)	Oxford	
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
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Jeffrey, Linda (L)	Brampton–Springdale	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
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Kwinter, Monte (L)	York Centre / York-Centre	
Lalonde, Jean-Marc (L)	Glengarry–Prescott–Russell	
Leal, Jeff (L)	Peterborough	
Levac, Dave (L)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (L)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
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Martiniuk, Gerry (PC)	Cambridge	
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**Monday 2 June 2008**

**Lundi 2 juin 2008**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 2 June 2008

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 2 juin 2008

*The House met at 0900.  
Prayers.*

## ORDERS OF THE DAY

### ORDER OF BUSINESS

**Hon. Michael Gravelle:** Mr. Speaker, I believe we have unanimous consent to put forward a motion regarding the division of time for debate on the motion for second reading of Bill 77: That the time available to 10:45 a.m. this morning be divided equally among the recognized parties to debate on the motion for second reading of Bill 77, An Act to provide services to persons with developmental disabilities, to repeal the Developmental Services Act and to amend certain other statutes, following which the Speaker shall put every question necessary to dispose of the motion for second reading of Bill 77 without further debate or amendment.

**The Speaker (Hon. Steve Peters):** The House is familiar with the motion. Is it the pleasure of the House that the motion carry? Carried.

*Agreed to.*

### SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES ACT, 2008

### LOI DE 2008 SUR LES SERVICES AUX PERSONNES AYANT UNE DÉFICIENCE INTELLECTUELLE

Resuming the debate adjourned on May 26, 2008, on the motion for second reading of Bill 77, An Act to provide services to persons with developmental disabilities, to repeal the Developmental Services Act and to amend certain other statutes / *Projet de loi 77, Loi visant à prévoir des services pour les personnes ayant une déficience intellectuelle, à abroger la Loi sur les services aux personnes ayant une déficience intellectuelle et à modifier d'autres lois.*

**The Speaker (Hon. Steve Peters):** Further debate?

**Mr. Garfield Dunlop:** I would have thought maybe the government would want to take the lead, it being a government bill. I'm surprised—are you not going to speak on it?

**Mr. Khalil Ramal:** We did.

**Mr. Garfield Dunlop:** But are we not having 35 minutes each today?

**Mr. Michael Prue:** If you want it.

**Mr. Garfield Dunlop:** Oh, so some of them don't want it then. It seems like it's become a banana republic around here. From what I'm hearing about who will be in attendance here this afternoon, the number of cabinet ministers who will be absent, and no one wanting to speak on legislation, you'd think we were somewhere down around Costa Rica or something. This is pathetic, I'm telling you. I cannot imagine—

**The Speaker (Hon. Steve Peters):** Speak through the Chair, please.

**Mr. Garfield Dunlop:** Mr. Speaker, I simply cannot imagine, in a Legislature that has an official opposition and a government, that we would actually have a caucus meeting held outside of this House, in another province, during a period when the House was sitting and there was a question period actually on. That is very disappointing to me, as a member of this Legislature, and I hope that a lot of Ontarians will realize that when they get the press releases and see it in the local media.

I'm pleased to speak to Bill 77, An Act to provide services to persons with developmental disabilities, to repeal the Developmental Services Act and to amend certain other statutes. The short title of this bill is the Services for Persons with Developmental Disabilities Act, 2008. This bill is as a result of the closure of the regional centres; there's no question that that's why it was brought forward.

I want to say a few words on this this morning because we had a regional centre in the city of Orillia that was established over 100 years ago. Recently, it had up to 700 employees and provided a service to people with developmental disabilities in this province, particularly, in the last decade or so, people with very severe disabilities. We've lost that in the city of Orillia, as I said, and with that, we've lost 700 jobs, a \$29-million payroll to the city of Orillia. The then-Minister of Community and Social Services just said it was a fact of life that it was going to happen, and there was no compensation towards it whatsoever. We're just out of those jobs, and we're down to about 40 people left at the regional centre.

I can tell you that there are a lot of sad stories around it, particularly when the initial announcement was made, I believe it was September 9, 2004, when the minister came and mentioned to all the different mayors etc. that there would be a lot of consultation taking place as we closed the facilities. That was the part: it was the lack of



consultation that actually took place. It has been fast-tracked, and if there was ever a sad thing that happened to the most vulnerable people in our society, it was that the consultations with family members and friends who really loved and cared for these people—they were ignored. They were told, “You’re going to go there.” There was no choice.

Let me tell you what the regional centres offered. They offered the best of care of any facilities in our country, and that meant things like physiotherapy, swimming pools for exercise, dental care. The very, very best was offered in these facilities, and we tried to point that out to the minister. This is not to say that there’s anything wrong with the community living organizations; they provide a great service across our province as well. But these 1,000 people who remained in the three regional centres were probably the most vulnerable people we’d seen in the province, and it will cost much, much more to house them in facilities across our country.

The big thing about it, the thing that I’m most concerned about, is the final safety net in case something happens to one of these people. In a lot of cases, people with developmental disabilities get very violent at times, and one of the things that would happen is that it would sometimes take five or six employees to grab hold of the individual and to calm them down. Those types of services are no longer there. So what will happen, and what has already happened in a number of cases, is that some of those folks end up in jail or they end up in a mental institution. Better still, they end up in long-term-care facilities, which is the most disappointing, because there’s already a shortage of long-term-care facilities because this government has basically put the stop on the building of new facilities. It’s disappointing.

I can tell you that up around Orillia, when you go by the Huronia Regional Centre now—and they’re down to only 40 people left in it—it’s like a graveyard. At the time, we asked the government, “Is there any chance that the city of Orillia could be compensated, because we had a satellite university from Lakehead that was wanting to build in Orillia?” and we were completely ignored; absolutely ignored. They wanted nothing to do with a university on that site. It was a beautiful piece of property on the side of Lake Simcoe, and the government completely ignored the fact that when you take 700 jobs out of a community, maybe they should be compensated somehow. Of course, they weren’t.

0910

There are always these wish lists that the municipal councils have ahead of them. They don’t want to disturb the government too much, alarm them or set off any bells that would indicate that there was a problem with the way they govern. So they get away with it. They got away with it in the Rideau Regional Centre and the South West Regional Centre as well, in spite of the fact that we had professionals and people from the Ontario Public Service Employees Union, all kinds of doctors and dentists, all kinds of professionals, and people from the fa-

milies of clients at the regional centres. They were ignored. It was very disappointing.

So now we’ve got this bill ahead of us that’s going to tidy up the mess and take away the safety net once and for all. That’s what this bill is really all about in the end; it’s about making the closures final. Whatever happens to these folks in the future, God only knows. But I can tell you that the regional centres have served this province well. They’ve done a great job; they’ve looked after a lot of very vulnerable people. As we move forward, I’m not so sure if that same kind of compassion will be there.

When I speak about compassion, I’d like to mention the employees. Until you really get involved and talk one-on-one to different employees from different organizations, you don’t realize how committed a lot of people are to their jobs. This is the one thing—when this closure started, I actually couldn’t believe it. All along, I thought they’d back off on it. I thought, “Well, surely they won’t take away the only remaining safety nets,” even if they left one of them open in the province, just so we’ve got one facility. In other provinces, they’re building them. Manitoba is building them; Nova Scotia is planning on building them. There have been mistakes made in some of those other provinces and now we’re moving forward in a different direction. But we’re not listening to that.

I wouldn’t be a bit surprised if, in the future, we see some government move forward with a centre of excellence for people with developmental disabilities. I think we may see that in the future, because if you look at the history and what we’ve seen happen—the care that’s been taken for those 1,000 remaining folks who have been kicked out of their homes—when we look forward to that, we may see that such a facility will be required.

I guess all I’m saying is that it’s a disappointing day to talk about a very disappointing bill. First of all, I want to go back to the fact that it’s a day when a government that brags about transparency takes 15 cabinet ministers out of the House so that they don’t have to answer any questions, so that the Premier can take them to Quebec City for a photo op. It’s almost like the Minister of Economic and Development and Trade—I’m assuming she’s there as well. She’s getting a lot of photo ops lately.

**The Speaker (Hon. Steve Peters):** Stick to the bill, please.

**Mr. Garfield Dunlop:** The reason I mention the Minister of Economic Development and Trade is because she’s the one who made the announcement to close these facilities. I want to say that she’s not a very popular person in that particular community right now, and not a very popular person in any community that had a regional centre or factory in it, because they’re all closing. It’s not a great day.

On the economy: It ties into this. We’ve lost a \$29-million payroll in the city of Orillia and area. It is amazing. When you’re out there today, I hope people are listening to what their constituents are saying. I don’t think things are too pretty right now, as far as job creation and the economy. I can tell you that the tourism industry is having a terrible time. So if the Minister of Tourism is in



the House today, maybe he'll be prepared to answer a few questions on that.

I want to leave some time for my colleague from Lanark, who will be speaking on this bill as well. In the end, I want to say that Bill 77 has come forward as a result of a movement by a former minister. She has decided to close these regional centres, and this is kind of a house-keeping bill that will allow her to do so and still fund them somehow. But you can be sure of one thing: I don't think there will ever be facilities built like, or that the people who are living in the facilities today or have moved out will ever have the care and treatment they received in, the three regional centres that we had here in the province of Ontario.

I thank you for your time today, Mr. Speaker.

**Mr. Norman W. Sterling:** I understand this legislation is going to go to committee this summer. I support that very much—

**The Speaker (Hon. Steve Peters):** It's my understanding that you have spoken to this bill, and you have moved—

*Interjection.*

**The Speaker (Hon. Steve Peters):** We need consent of the House for the honourable member to speak. Agreed? Agreed.

**Mr. Norman W. Sterling:** Thank you very much for consenting to my speaking to this wrap-up of this bill, Mr. Speaker.

Our caucus supports this legislation; it supports the thrust of the legislation. We are, however, concerned about some of the matters with regard to the treatment of our most vulnerable adults in some of the residences which my friend and colleague has just mentioned here in the Legislature.

I guess one of the challenges as we go forward with this piece of legislation is going to be drawing the line between family responsibility and state responsibility for disabled adults who are in the care of their parents. We have found that under the present programs the government has for this kind of legislation, very, very small amounts of resources are going to the actual need that is out there; that is, helping families take care of their disabled adults in their own home.

I'd like to talk a little bit about the Rideau Regional Centre, which at one time was a residence for over 1,000 disabled adults. As time went on, the number of adults in that particular residence decreased; it has decreased quite dramatically from a time when I think there were 1,500 adults in that particular residence.

I think a lot of people have the wrong attitude as to what these residences were and did for the people who were there. They are, as I have witnessed personally on a number of occasions, fairly happy places in terms of the involvement and the activity of the residents on a day-to-day basis. They have programs for them. That is one of the problems that we are hearing from the parents of these severely disabled people: that they have been promised programs when they have been put into the community and those programs are not there. What we see

happening when they're put out to the community is that they're not getting the same level of service as they were getting in Huronia Regional Centre and Rideau Regional Centre.

Basically, what seems to be happening with the residents is that most of them have been put into community living. But as we get down to the final strokes, the remaining 100-plus residents of Rideau Regional Centre are severely, severely disabled. They not only have disability problems in terms of their cognitive ability, but they have severe health problems as well, and therefore they require a lot of care on a daily basis. As I said last week, what's happening now is that an increasing number of them are not going into community living. They are going into nursing homes or long-term-care centres, because their needs are so high that a group home cannot attend to the combination of their disabilities, including their severe health disabilities.

**0920**

To date, somewhere between 20 and 30 former residents are already in long-term-care centres. As some newspaper stories have pointed out, for some of the younger ones—those in their 30s, 40s and 50s—it is quite a different community that they're being put into when being put into a long-term-care centre, where the majority of the residents are in their 80s and 90s. So it is somewhat of a misplacement in terms of the physical capabilities of some of these people, notwithstanding their health disabilities. Therefore, as we go forward, an increasing number of these residents from Rideau Regional Centre are going to be placed in long-term-care homes, of this 100 remaining.

You don't want to characterize all of them as the same, but some of the remaining residents are incapable of taking care of themselves, unfortunately. They have to be fed. They're incontinent. They have problems taking care of themselves so that they don't harm themselves. Therefore, it is very, very specialized need.

One of the things that the employees of the Rideau Regional Centre in Smiths Falls suggested to the ministry was, why not create a specialized long-term-care home on the existing 350-acre site of Rideau Regional Centre to take care of the last 100—or whatever the particular number is—of these very high-need individuals? They have the staff there that are experienced, they still have a cadre of health care professionals who would volunteer to take care of these particular individuals, and they have such facilities as a modern laundry to deal with the mountains of laundry that are required in order to take care of these kinds of needy people. Unfortunately, the government has made a decision not to retain even a semblance of a long-term-care facility at Rideau Regional Centre.

As I mentioned earlier, part of the concern of some of the parents of these particular disabled adults is that by putting them into the community setting, they're in fact limiting the freedom of these individuals. That sounds kind of odd, but the fact of the matter is that many of these group homes that they are put into in terms of



community living are on very busy arterial streets in our urban areas, our cities. The fear of the parents is that for those who are unable to recognize that it's dangerous to walk out onto a street, they're concerned that their children might be hurt by wandering onto the streets at an unsupervised time. The beauty of Rideau Regional Centre is that it's set back from the road significantly; I think it's set back about 1,000 or 2,000 feet from the road. Therefore, the residents have had and do have quite an opportunity to walk around the grounds without any real fear of anything happening to them. They also have a swimming pool at the residence, which they share with the community, so the community comes in and there's some mix with the community in terms of Smiths Falls. They have arts and crafts. They have all those kinds of things. So I think that the public has the idea that when they go out into the community, this is going to be a much easier way for them to get along with the community, whereas at Rideau Regional Centre a lot of them had a very happy existence in life and they were properly cared for.

One of the other things that bothers one a little bit with regard to taking them out of a setting like Rideau Regional Centre is that, at Rideau Regional Centre, the Ministry of Community and Social Services was responsible for their care. In other words, they were ultimately responsible if something bad happened and therefore the impetus to provide the proper care for them was there. When they're put out into community living or into a nursing home or long-term-care centre, the Ministry of Community and Social Services treats them as ODSP clients—Ontario disability clients—and they are no different than other ODSP clients.

Evidently, I'm told and know that after three months, they do an assessment of the placement. After three months or approximately 90 days, the Ministry of Community and Social Services washes their hands of that particular individual. Therefore, the responsibility for seeing that that particular individual has proper care and the proper supports they need falls to the family, friends or the official guardian. The line of responsibility for these severely disabled children—or adults now—really falls apart.

I guess the other part of this debate that has, I think, been unfairly reported on by the minister and put forward by the government is, "Your government was doing this, so we're just following your lead." In 2003, there were close to 400 residents at Rideau Regional Centre. The previous government had said, through their actions, that they were going to allow most of these individuals to continue living their lives at Rideau Regional Centre and try to encourage parents and families and friends of the residents to put them into the community, and that was the way it was being done. Now we have placement officers in these particular residences who have quotas to get the people out. Placement officers have quotas and they have to meet those quotas, and therefore it's a very much more forced system in terms of getting them out into the community, often without family support. The

families are frightened. They're frightened to complain to the new long-term-care centre that the resident might land in, they're frightened to complain to community living, which is charged with taking care of their adult child going forward. There is really very little accountability in the whole process.

I might also add that there has been tension for a long period of time between the community living people, the people who provide the group homes, and Rideau Regional Centre and Huronia and those other places, because—and one other place. It's St. Thomas, I believe.

**Mr. Garfield Dunlop:** South West.

**Mr. Norman W. Sterling:** Yes, the southwestern centre. The community living people have felt that too many resources were going into these residences and that was denying them resources with regard to the services they were providing. There was considerable conflict between the two groups, so therefore it didn't surprise those of us who had represented the areas where these centres were that community living was all for the emptying out of these particular residences.

There are a number of things that fit together here, but I guess the other part that has bothered the parents and the friends of the people who are essentially being forced out of these residences is that the staff of the residences have been reluctant—I guess that's the best way to put it—to share information with regard to the associations that their severely disabled adults have had in the residences. In other words, because of the inability of the adult children to communicate, the parents don't know who their friends were in the residence, and so they've been asking the people who have cared for their children, as they are being moved out of the residence, "Who are their friends? Who have they had some kind of feeling towards in the residence?" And the staff who are in these residences have been told that, because of the privacy act, they can't give out that kind of information.

**0930**

What the families are concerned about is that their child will go out to a nursing home or a group home, and they have no record of who their friends are. So they can't take their adult child from one residence to another and have them meet and visit with each other. We feel that's a very wrong thing to do, notwithstanding the privacy act and all of the protections that it provides. I'm sure that the privacy commissioner would be more than willing to make a comment on this in terms of sharing information with people so that after they find themselves in a new setting, they would be able to visit with each other from time to time, if in fact they had this association before. So it's a very difficult situation for these parents.

I've also heard stories—and there have been some reported stories—of some of these individuals who have gone out to community homes and haven't been able to cope. We had one case in Smiths Falls where an individual went to a community home and then committed a crime—pulled a knife on several people, including the police—and there was really not a good way to deal with



that particular individual. They were able to deal with him in the Rideau Regional Centre, but they couldn't deal with him in a group home because of the violent nature of the behaviour of this particular individual. Unfortunately, some of them are quite large people and some of them have a lot of strength and cannot be dealt with in a community setting.

The other one that a lot of adults are having trouble with is what they call, in their colloquial language, runners. In other words, the individuals don't know to stay close to their home. Therefore, when they're put in a community home, unless there's a lock on their door or a wall around the community home or group home, these individuals will just take off. There's a lot of concern with regard to those individuals and whether or not they can be put into the community setting. In fact, in one instance in Ottawa, in a community home, as one family member came to visit a disabled adult, they found another disabled adult on the road, headed down the street, without any kind of supervision.

There has been a lot left to be desired with regard to caring for these individuals. I really think that this could have been done in a much more humane and kind way. I believe that all parties have the goal of trying to put as many disabled adults into the community as possible. If they can thrive and if they can enjoy life more, who wouldn't be for that kind of policy? But as my previous colleague mentioned, where is the fallback for this? What happens when that small number of violent individuals cannot be accommodated in a community home, or their freedom is so strictly controlled—or that they don't have freedom in these community homes just because of the nature of the community homes—versus a larger facility like Rideau Regional or Huronia, where they can in fact deal with these exceptional individuals?

It's with some sadness that these residences will close, because they have provided a tremendous opportunity for the most vulnerable people in our society to live in a somewhat normal way. They've got friends. They've had an unbelievable number of programs to participate in. They get physical activity, to the best of their ability. They have, in the case of Rideau Regional Centre, a large area that they can take advantage of on the outside of their buildings. They live in accommodation that is pretty good. In fact, the accommodation over the last 10 or 15 years has been improved dramatically for these individuals. They've rebuilt a lot of the space in Rideau Regional so that it very much resembles a residence. A lot of them have lived with the same individual for 30 or 40 years in the same room, and some of these individuals are now split into different accommodations, and therefore they've lost their lifelong friends and partners, in some cases.

We really believe that the government should have gone slower in terms of closing Rideau Regional Centre and Huronia, which would have been more in keeping with the needs of these people. They should have been more careful in terms of what they've done. I would really like to see, in two or three years, that we strike a

commission to look at where these individuals have gone and evaluate what the outcome of these evictions from long-term homes has been.

I believe that the Ministry of Community and Social Services shouldn't wipe their hands of the responsibility for care of these people, and I will always continue to work on behalf of the parents, the friends and the residents of these centres. It is really sad that the government has bungled this so badly. It could have been done with much more kindness and much more compassion than it has.

**Mr. Mike Colle:** It's my pleasure to rise today and continue speaking in second reading debate on legislation that deals with individuals with developmental disabilities.

This legislation updates legislation that goes back over 35 years. What it's really doing is trying to, in a comprehensive way, put together all the incremental changes that have occurred in the area of developmental disabilities. You can imagine, since 1974, the number of programs and the different approaches that have developed in our communities across Ontario in dealing with citizens among us who have developmental disabilities. We must not forget—I know there's been a lot of discussion about the employees, who are very important partners in helping people with developmental disabilities—that we are talking about 40,000 Ontarians. These are 40,000 Ontarians who belong to many of our own families—relatives and friends whom we all know—who are challenged with a developmental disability. It could be in any one of our families, it could be in any one of our neighbourhoods, and it is not an easy challenge to deal with, whether it's a member of our family or our community. Many mothers and fathers have struggled their whole lives in trying to help their child who is unfortunate and has this developmental disability, right up into adulthood. There are many forms of it, and it's not easy.

0940

I can remember, when I was first elected to city council, there was a mother and father who lived on Westmount Avenue, at St. Clair and Dufferin. This couple must have been in their late 70s or early 80s, and they still took care of an adult son who was developmentally delayed. It was almost to the point where the father, again, almost 80, was trying to lift and carry their son around in the home, because they had chosen to keep the son at home. The challenge there was that the bathroom was on the second floor. There was a program at that time, through the city and the province, to allow for the retrofitting of a bathroom on the main floor. That son weighed over 200 pounds, so you can imagine this father, who was 80, lifting the son into bed, out of bed, to the washroom etc.

That is one choice that some parents made. Other parents chose to put their sons or daughters into more formal institutions—a very impossible decision to make—throughout the province, like some that have been mentioned here today. That was very difficult to do too.



I remember that we had a young boy named Leslie who lived across the street from us. He was one of five brothers. He had to leave home and was sent to Orillia. I see the family still, and my understanding is that Leslie is now in a group home, after spending many years in Orillia.

It has not been easy for any government to deal with these 40,000 important Ontarians with disabilities. I think all three parties over the years have supported the concept that the best way to help these adults with developmental disabilities is to put them into community settings, what we sometimes call group homes or community living. That is what the province of Ontario has been moving towards for many years. Our government, following many years of expert advice and consensus, thinks that's where men and women with developmental disabilities should be. They should be in a neighbourhood setting, in a community where they can be supervised by an agency that is expert in providing counsellors and support services.

I remember that for many years we had a great battle about group homes in the city of Toronto. It was very challenging, to ensure that individuals not only with developmental disabilities but all kind of challenges could be housed in a group home. Many of the fears about group homes were extremely exaggerated because of people's misconceptions. I don't know if it's the same in your community, Madam Speaker, in Hamilton, but thankfully in the greater Toronto area I'm glad to say that there is a greater acceptance of people with many disabilities and many challenges being integrated into communities. So there isn't the hue and cry about community living facilities coming into neighbourhoods. In some cases, the neighbours aren't even aware that some of these homes are community living homes. In many ways, they're better neighbours than some of the so-called "regular" neighbours who have disputes about your fence, encroachments and so forth, so they make good neighbours.

That's not to say it's not without challenges, because they have to be staffed properly; they have to have the proper facilities in the home, whether they're hearing-impaired, vision-impaired or in wheelchairs. These community homes, as I like to call them, are most critical in terms of investment. You just can't put people in a home without proper staff and without proper facilities so that they can enjoy the amenities of that house. But they may need special lifts, they may need special washroom facilities, or they may need special access in and out of the home. All in all, it is not a perfect solution, but I think it's a very humane approach to helping people with developmental disabilities.

This is a very complex area, and that's why what I think this bill does is it tries to coordinate a lot of the service delivery mechanisms, because it is sometimes most difficult—even as an MPP and as MPP staff—to weave your way through all the complexities of services and how you contact the appropriate service delivery agent. This bill is trying to accommodate that service delivery model in making it more comprehensible and more

understandable and more seamless, especially for the families of the persons with a disability and for the individual who needs that service.

In every community in Ontario, we have some real silent heroes who are support workers or community workers or counsellors, or they work with foundations that deliver services to our disabled. They are the front line in the delivery of this critical, critical series of supports. They are there working 24/7. As you know, it is not a 9-to-5 job; it's 24/7. We've heard some comments already about the challenges some of the individuals may pose, but it's just a re-emphasis of the fact that it just doesn't mean that the workers in the community homes will leave at 5 o'clock. They're there, they sleep there, they're constantly in contact, 24/7, and again, it is not a 9-to-5 service delivery model. That is why it is extremely complex, extremely demanding and expensive, but it is an investment we have to make.

I know the government invests over \$1.6 billion a year in helping our developmentally challenged individuals in this province, but it's an investment we have to make, because it's an investment in the quality of life we're all judged by as a province. It's sometimes the same thing in education or in health care. It's always relatively easy to help those who are healthy, those who are supported at home and have a great family, whether it be in a school or in a hospital, if someone is in excellent health or a great student. But it's the challenged student, the special student, the patient in hospital who has some acute situation that isn't easily administered to by normal health practitioners.

It's the same with individuals in society who are challenged with developmental disabilities. We sometimes, just because of human nature being what it is—and I think that sometimes governments are guilty of that too—tend to dismiss the potential of people with developmental disabilities. They are misdiagnosed. They are segregated from society. They may be visually impaired or hearing impaired, but we all know of cases where many of these individuals we find are really gifted.

#### 0950

There was an amazing documentary on CBC from 20 years ago about this phenomenal pianist who was thought to be just impossible in terms of his future progress. His hearing, his eyesight—he couldn't see. But this young man—I think it was Roy Bonisteel who did the program—was an incredible pianist who could match the calibre of pianists of great renown. For years, he was not allowed to even play the piano. Then all of a sudden he started playing the piano as if he was at a concert at Toronto's Massey Hall or Roy Thomson Hall—almost Glenn Gould quality.

So many of these individuals, if given an opportunity, will be able to offer all kinds of reciprocal benefits to society. They do. Many of them can work if they get the support and the opportunity to work in a—sometimes they call them sheltered environments, or sometimes they work with assistance. That is one area where I think not only government but employers in the private and public



sectors could do much better, and that is to ensure that within the workplace there are opportunities for people with developmental disabilities. I know that in some of the work settings in this province there are employers who should be congratulated because they hire these individuals. Many of them are very productive and contribute a great deal to the workplace.

I think it's something that government should encourage more employers to do, because this is part of the whole spectrum of service that is needed to ensure that the 40,000 individuals in Ontario who are developmentally challenged get full opportunity, not only in the setting with their medical needs, their educational needs and their social needs, but also in meeting the needs of their potential. Part of that is ensuring that they get an opportunity to work. It is sometimes a bit of trouble for an employer, but still it's something that is very rewarding not only for the adult, usually with developmental disabilities, but also for the people who are in the workplace. In many cases, the individuals with developmental disabilities have so much to contribute. They are sometimes very insightful. They can do things better than we can do. We underestimate the talent sometimes hidden within individuals with developmental disabilities.

So I would hope that in the future there are more opportunities in all of our workplaces. Even in this Legislative Assembly and the legislative precinct, I'm not sure whether there is a program where young men and women with developmental disabilities might get a chance to work. I'm going to speak to Speaker Peters about this. Why not have an opportunity for a placement here in the legislative precinct for a young man or woman or an older adult with a developmental disability? Let them be here in the legislative precinct. Maybe there are some here already; I'm not sure if the program exists or not. But that's one thing that I think would be an example of the Legislature showing leadership in this area. It would be a very good learning experience for us too, and not only helpful for the individual. I will take that request up with Speaker Peters and see if we might do something to lead by example.

This really is a partnership, as I said before, with many excellent community organizations—Community Living Ontario, community living agencies we have all across Ontario. In Toronto, an organization that comes to mind that I deal with quite frequently is the Jewish Vocational Service. They have an army of excellent people who help all kinds of individuals with supports that they need. The Reena Foundation is legendary in the great work that it does here in the greater Toronto area, in Ontario. And I can go on and on. They are the partners who are critical to the success of any legislation the government brings forward.

Governments are one half of the equation; the other half is the service delivery partners in the communities. The agencies in our communities cannot succeed in helping people with developmental disabilities unless the public is supportive. I know there is great activity in terms of fundraising that they do, community outreach

programs. They do all kinds of social programs, and they need the public to participate. I would hope that we don't forget that this is part of any government initiative. The government is now updating this legislation, Bill 77, but it cannot succeed in helping these 40,000 Ontarians unless there is full partnership with organizations like the Reena Foundation, unless there's full partnership with the men and women who are the front-line caregivers in these homes and community homes and in our community settings where these individuals with developmental disability challenges live. So we need to encourage a better awareness of the critical work that they do.

We all know that our police, our firefighters, our transit workers, our emergency service workers, our teachers, our doctors, our nurses, do great work. But what about the front-line workers who work in these group homes, as I said, from morning till night helping some of these most vulnerable of Ontarians? They are never given enough recognition to encourage them to continue to do the great work they do. I'm sure we all know these people, but again, in many cases they are the silent, hidden jewels in our communities—these community support workers in our group home and community home settings who are very generous and very caring. They are doing excellent work, considering that the pay isn't always great and the recognition is very rare. I hope that we, as members of provincial Parliament, in all of our ridings, can recognize the incredible, generous people who help people who need support, again, around the clock in some very challenging—and I know the member from Carleton-Mississippi Mills said that it is not easy.

There is no magic solution here. Those of us who have a little bit of an understanding of how challenging this is know how daunting it is. This bill is important because it brings it together in a comprehensive, seamless way, and it's got to be done. We're going to have hearings, and I think they will be very valuable. But we still have a lot of work to do in all of our communities in helping those amongst us—and as I've said, these families are our families, these 40,000 Ontarians are our neighbours, and we have a responsibility to take care of them and to help them and to allow them to reach their potential.

Again, I do hope that this bill and the measures undertaken will be a positive and very helpful step in helping these Ontarians who, for too long, have been unnoticed and not cared for enough. We've tried, but sometimes those of us who are so busy with our run-around lives never stop to think of those amongst us who need extra help.

I think this bill is a good opportunity for all of us to be more aware of the need to make this investment in time and effort and legislation, so that this part of our society is not neglected or taken for granted. I do support this initiative, as most members do, because we know we have to keep making these improvements. I see Bill 77 as an improvement; it's a very valid attempt to deal with a problem that is not easy. Again, in the problem, there are challenges and rewards, because if we can help these



40,000 individuals and their families, we will make this a better place for everybody.

The saying is that we're always judged as a society on how we help the most vulnerable amongst us. This is, hopefully, a positive step in that direction. I commend the minister and the staff in her ministry for undertaking this very difficult and challenging work. I wish them great success at the hearings, and I hope that we can come up with a piece of legislation that really is of benefit to the 40,000 individuals in Ontario who suffer from developmental delays and their families.

**Hon. Michael Bryant:** I just wanted to give the questions and comments opportunity a kick-off, as well as to say—

**The Acting Speaker (Ms. Andrea Horwath):** I'm sorry. There was an agreement that the time would be divided amongst all three parties. There are no questions or comments.

**Hon. Michael Bryant:** I can see that I'm out of order. My apologies.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate? Seeing no further debate, is it the pleasure of the House that the motion for second reading carry? Carried.

*Second reading agreed to.*

**The Acting Speaker (Ms. Andrea Horwath):** Shall the bill be ordered for third reading?

**Hon. Michael Bryant:** It is being referred, and I'll leave it to the parliamentary assistant to speak to this.

**Mr. Khalil Ramal:** I would ask that the bill be referred to the Standing Committee on Social Policy.

**The Acting Speaker (Ms. Andrea Horwath):** Agreed? Agreed.

**Hon. Michael Bryant:** I seek consent for the House to recess until 10:45 a.m.

**The Acting Speaker (Ms. Andrea Horwath):** Agreed? The House is in recess until 10:45 a.m.

*The House recessed from 1004 to 1047.*

## INTRODUCTION OF VISITORS

**The Speaker (Hon. Steve Peters):** A little late; my apologies.

I have a number of introductions; pray be seated.

On behalf of the member from Lanark—Frontenac—Lennox and Addington, I would like to welcome Julie Kipp and Jeff Kipp. Jeff works in Mr. Hillier's office.

On behalf of the member from York South—Weston, I'd like to welcome a number of guests who will be here this afternoon: Gianni Bardini, the Consul General of Italy; the Honourable Judy Sgro; the Honourable Gino Bucchino; Julian Fantino; George Visintin; Carlo Fillipazo; Roberto Buttazzoni; Paolo Ponti; Fabrizio Patuelli; Martin Stiglio; and Maurizio Gherardini.

On behalf of the member from Etobicoke North, in the members' gallery east: Mr. S.M. Muncer, Mr. Khurshid Ahmed Jomezai, Mr. Anwar Merchant, Mr. Samir Dossal and Mr. Anwar ul-Haq. They're representing the Pakistan

Chamber of Commerce, and they're leading a trade delegation to Ontario.

On behalf of the member from Kenora—Rainy River, in the west members' gallery: Mary Cox, Gary Green, Tom Kear, Walter Poremski, Lorraine Schulz, Antoni Shelton and Rennie Terbogt, from the Humber River Health Coalition.

On behalf of the member from Kenora—Rainy River and the member from Parkdale—High Park, in the west members' gallery: Charles Foster, Judy Persad, Edward Lantz, James Wardlaw, Edward Portelli and Chris Robinson.

On behalf of the member from Toronto—Danforth, in the west members' gallery: Lily Chang, Jacqui Latter, Nancy Murphy and Linda Rose, members of CUPE Local 79.

I'd just like to welcome, on behalf of the member from Oxford and myself, Jeff Helsdon, who's from the Tillsonburg News, in the media gallery today.

**Mrs. Elizabeth Witmer:** Mr. Speaker, on a point of order: I would like to seek unanimous consent to move a motion to stand down question period today in light of the fact that the Premier and 14 ministers are absent, and that we have a double-header tomorrow; we would have two question periods back to back.

**The Speaker (Hon. Steve Peters):** Is there consent? Agreed? I heard a no.

## ORAL QUESTIONS

### SEWAGE SPILL

**Ms. Lisa MacLeod:** It looks a little bit like summer school in here today.

To the Minister of the Environment: Over 35 football fields worth of sewage leaked into the Ottawa River in 2006, and it has been reported that the Liberal government has known about this for over one year now. Why has the Ministry of the Environment covered up—

*Interruption.*

**Mr. Howard Hampton:** Mr. Speaker, there's hardly anybody here.

**The Speaker (Hon. Steve Peters):** I'm not impressed. I would like all those cameras confiscated, please, and not returned to the members.

*Interjections.*

**The Speaker (Hon. Steve Peters):** To the member from Welland: If he persists, I'm going to name him, and I'm going to name all the members.

**Ms. Lisa MacLeod:** I'd expect some respect from the other side of the House. It would have been nice if the minister were here, but why has the minister—

**The Speaker (Hon. Steve Peters):** The honourable member knows that the tradition in the place is that we do not make—you ask your question to a specific minister. You're making reference to that minister's absence.

**Ms. Lisa MacLeod:** Why has the Ministry of the Environment covered up this sewage spill for over a year?

**The Speaker (Hon. Steve Peters):** I would just ask the member to withdraw the comment. I ruled on that phrase previously.

**Ms. Lisa MacLeod:** Why has the Ministry of the Environment participated in a cover-up of this sewage spill—

**The Speaker (Hon. Steve Peters):** I'd just ask the member to withdraw the comment, and I'm going to turn it to the Acting Premier.

**Ms. Lisa MacLeod:** Withdrawn. But, Mr. Speaker, will the minister call for a public inquiry?

**Hon. George Smitherman:** I think the honourable member has sought to elevate this matter, but at the heart of it, everybody can agree that the circumstances in Ottawa were highly unacceptable circumstances.

*Interjections.*

**Hon. George Smitherman:** The heckling from the member from Leeds–Grenville notwithstanding, I think it is important to note that already in the circumstances still under further investigation, significant acts of accountability have been taken. This a serious issue, most certainly, for the people of Ottawa—

**Ms. Lisa MacLeod:** One you sat on for a year.

**Hon. George Smitherman:** —and accordingly, that's why the investigation ongoing by the city of Ottawa into the circumstances is essential. We all look forward—

**The Speaker (Hon. Steve Peters):** I would ask the honourable member to withdraw the comment, and this will be your last warning.

**Ms. Lisa MacLeod:** Thank you, Mr. Speaker. I withdraw.

**The Speaker:** Member from Carleton–Mississippi Mills, supplementary.

**Mr. Norman W. Sterling:** This spill took place in August 2006. The ministry claims that it found out about it in May 2006. They started their investigation in May 2008. Why did you start the investigation a full year after you found out about this huge spill of sewage into the Ottawa River by the city of Ottawa?

**Mr. Tim Hudak:** Cover-up.

**Hon. George Smitherman:** Thank you very much—

**The Speaker (Hon. Steve Peters):** I would ask the member from Niagara West–Glanbrook to withdraw his comment, please.

**Mr. Tim Hudak:** Withdrawn.

**Hon. George Smitherman:** Thank you very much, Mr. Speaker. I think, as I had a chance to say in an earlier answer to the other member from the Ottawa area, that this is a very serious matter indeed. All of us agree that the protection of the health of the Ottawa River is very, very essential, of course, to the many hundreds of thousands of people who are nearby to it.

That's why the actions that have been taken to date and the accountability associated with them recognize the importance of the matter at hand. That's why there are efforts at present by the city of Ottawa to further examine their own behaviour and conduct and that of their of-

ficials in this circumstance, and that's why more information will be forthcoming on this matter. The Minister of the Environment will be working to ensure that appropriate steps are taken so that appropriate accountability is found in the circumstances.

**Mr. Norman W. Sterling:** Yes, the city of Ottawa has seen fit to have an inquiry of their own through the auditor general of their city. But the question here is, what did the Ministry of the Environment do or not do over the period of time? An investigation by the Ministry of the Environment is no good because it's investigating itself.

Mr. Deputy Premier, the only way that you will clean the record of the Ministry of the Environment in this matter is to have an inquiry into the behaviour of the ministry or lack of action by the ministry, knowing a full year about this huge spill, enough to fill the Palladium in Ottawa. We want a public inquiry. Will you have a public inquiry?

**Hon. George Smitherman:** The honourable member, in his questioning, seeks to draw attention to one element of the circumstance, but what he doesn't focus on is the admitted act—that act that has been admitted by city staff, that they failed to do what was their obligation, which was to notify the ministry immediately. That's why the investigations that are under way by the federal government, by the Ministry of the Environment, and by the city itself are very likely to be instructive in finding further accountability for this circumstance, which is not a tolerable circumstance.

There's much agreement with respect to the notion, to the idea, that the Ottawa River and its health are essential. That's why the actions by the city and city staff—who did not immediately make the Ministry of the Environment aware—are so particularly of concern, and that's why we have these three ongoing investigations at present.

## INFECTIOUS DISEASE CONTROL

**Mrs. Elizabeth Witmer:** My question is to the Minister of Health. Minister, you have acknowledged that because of your lack of action, the C. difficile crisis has shaken the confidence of the public in the health care system. If we take a look at the sequence of events, it's obvious that you knew more than you were willing to acknowledge.

The Toronto Star, on October 22, 2004, said, "Ontario's newly formed Provincial Infectious Diseases Advisory Committee is studying whether to add C. difficile to the list of reportable diseases, said Dr. Karim Kurji, Ontario's associate chief medical officer of health."

Then, on July 15, 2005, the Windsor Star quoted David Spencer—as you know, spokesman for the Ministry of Health—who said that the ministry is setting up a committee to determine whether C. difficile should be reported.

Minister, if that's the case, you knew this in 2004 and you knew this in 2005—



**The Speaker (Hon. Steve Peters):** Thank you, Minister?

**Hon. George Smitherman:** The honourable member brings evidence today that everybody in health care was very aware of the circumstances related to C. difficile and very aware of the actions that need to be taken in health care provider organizations related to it. That's why, in that very same time frame, we funded 137 additional infectious disease officers. That's why we established the provincial infectious disease advisory committee. That's why we established 14 regional infection control mechanisms. That's why we doubled the funding for public health.

I agree with the honourable member that C. difficile is a particular challenge in the context of superbugs in the hospital and in other environments in health care, and that's why people across health care have been attuned to the circumstances associated with that. The separate issue of whether and how it should be reported is a matter that many have grappled with, for which there has not been a clinical consensus. But we've decided to move forward. On September 30, Ontarians will gain—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary.

**Mrs. Elizabeth Witmer:** The Minister of Health is aware of the fact that work was ongoing in 2004-05. In November 2004, the Canadian public health agency announced it was tracking C. difficile in 25 teaching hospitals in Canada. Again, Minister, your response was no action. By then, we'd had at least 21 people die in Ontario. In June 2005, CUPE's hospital division called on you to make C. difficile a reportable infection—still no action from you, and we had 14 more people die at Peterborough hospital.

Minister, despite the warnings in 2004, 2005, 2006 and 2007, why did it take you so long to come up with a plan and start reporting?

**Hon. George Smitherman:** For her own purposes and for the purposes of running down confidence in health care and misaligning responsibility for running front-line health care provider organizations, the honourable member is pretending that she first learned of C. difficile through recent reporting. In fact, we have all known about the circumstances associated with C. difficile in the hospital environment through circumstances learned in other provinces. That's why we created an infectious disease advisory committee and why we created those infection control networks.

I think it's very, very important that the honourable member acknowledge that this isn't a situation that came to rise only in recent circumstances. Hospitals, which have the primary obligation for controlling their environments, have known about these risks and have been dedicating themselves to dealing with the challenges.

1100

**Mrs. Elizabeth Witmer:** It's obvious that the minister is unwilling to accept any responsibility or accountability to the people in the province of Ontario. The reality is that if you are the Minister of Health, you have an

obligation to protect the health and safety of the people of Ontario.

You knew in 2004; you knew in 2005. In 2006, we had the outbreak in the Soo; in 2007, Dr. Baker told you to start reporting and you ignored him. Then we had Joseph Brant. I ask you today: Why are you not prepared to set up an inquiry in order that we can determine what happened in this province, and make sure we protect people in the future when we are going to have more of these infectious diseases?

**Hon. George Smitherman:** It's not reflected in the record of the words that I have spoken in this Legislature that the matter of accountability is one where any of us in health care can pretend it was all about the actions of one or another. It's about the collective capacity of the health care system to be able to do these things. The people who run a local hospital obviously bear a substantial obligation to operate their environments in a way, with all of the information that's available, that is safe for the patients of the province of Ontario. To have the honourable member suggest otherwise is intensely inappropriate, especially given the fact that she herself has been a Minister of Health.

We see the opportunity, with Dr. Baker appointed and with reporting to be initiated on September 30, of dramatically enhancing the transparency and the power associated with it to the benefit of the patients in the province of Ontario. We think that acting in that fashion is more appropriate than an inquiry, which will take years to come to fruition.

#### CHILD CARE

**Mr. Howard Hampton:** My question is for the Minister of Children and Youth Services. The Ontario Coalition for Better Child Care is here at Queen's Park today. They note that parents in Quebec have access to quality, public, not-for-profit licensed child care and early learning for children up to age 12 for \$7 a day. On a day when the Premier and two thirds of his cabinet are visiting Quebec, apparently trying to learn something, can the Minister of Children and Youth Services tell us when the McGuinty government is going to keep their promise to child care? When are we going to move even remotely near what parents in Quebec have in terms of good child care?

**Hon. George Smitherman:** First, on the matter of child care, I think it's very, very important—

*Interjections.*

**The Speaker (Hon. Steve Peters):** I just want to remind the members that I've already asked them to be conscious of standing within this chamber.

**Mr. Tim Hudak:** This is unprecedented—15 away.

**The Speaker (Hon. Steve Peters):** The member from Niagara West.

If we can remember an old Speaker, there should be only one person standing. When I'm standing, I'm the one who is speaking.



I'd just remind the members that you asked a question. The Deputy Premier is here to respond to those questions in the absence of any minister who may not be here today. So the responsible individual is answering the question.

**Mr. Peter Kormos:** Point of order, Mr. Speaker. Upon using my eyeglasses, I find a number of backbenchers sitting in ministers' chairs. How appropriate is that, when backbenchers are being used to basically fill the seats, like papering the room?

**The Speaker (Hon. Steve Peters):** I thank the member. That was not a point of order. Deputy Premier?

**Hon. George Smitherman:** To the member from Niagara West: I do think it's important to acknowledge that the honourable member makes a lot of protest, but didn't make any protest when they pulled the presentation of a budget out of the Legislative Assembly, nor did he seem offended at all when the Premier, at the head of his government, attended the legislative question period only 35% of the time.

To the New Democratic Party: We have to be reminded, first off, that by killing the government in Ottawa that was in favour of daycare, they have cost Ontario's families thousands and thousands of funded daycare spots. We have created 22,000 spots by making sure that we backfilled those that were cancelled when they defeated a government in Ottawa that supported daycare and elected one that didn't.

**Mr. Howard Hampton:** I think most people would find it passing strange that in a McGuinty government that has promised new child care spaces and new child care investment over and over again, the only money they could find for child care was federal money. Meanwhile, we have the province of Quebec, which, as a matter of public policy, provides early child care for all children under 12 years of age at \$7 a day.

My question to the McGuinty government: You promised it over and over again. In the last budget, just six weeks ago, you had \$6.2 billion of new spending. How come child care didn't even get a line item in the McGuinty budget?

**Hon. George Smitherman:** It's always exciting to see the NDP on their feet in the Legislature when they fail especially to acknowledge the role they played as daycare killers in our country. They did that by defeating a government in Ottawa that was prepared to dedicate substantial financial resources to daycare, and instead they killed it. They killed that government and they killed the budget that supported the creation of thousands of funded daycare spots. We've created 22,000 spots. When they were in government, they killed subsidies for 6,000 Ontario families related to daycare.

We're proud of the progress we've made. We realize that there are important opportunities to better enhance the capacity for our children to live, especially at young ages, and that's why we're making substantial investments as well in expanding the capacities of our education system to support younger and younger kids.

**Mr. Howard Hampton:** I think what we're getting is an admission that the Premier and two thirds of his cabinet are learning nothing in Quebec today, certainly nothing about child care, because all we hear are excuses. A government that promised new child care spaces, that promised affordable, licensed, quality not-for-profit child care spaces in 2003 and promised them again in 2007, has done nothing. Nothing. The only money that has gone into child care in Ontario has been money from the federal government.

So I ask again, on a day when the Premier and two thirds of his cabinet are in Quebec: When is the McGuinty government actually going to make quality not-for-profit public child care a priority in Ontario, as it obviously is in Quebec?

**Hon. George Smitherman:** It's nice to see that the honourable member today is a supporter of good child care, but where was he when his party was killing a federal government budget that was supporting child care in the country? Where were they on that day?

In our model, people who earn under \$20,000 are eligible for free child care, and these are the pieces of progress that we've been able to make as we've created 22,000 additional spaces in Ontario. That stands in very sharp contrast to the action of that party, which had the opportunity to support the emergence of a strong national program but instead, for their own political interests, sought to kill off a government that was in favour of child care.

## CONSUMER PROTECTION

**Mr. Howard Hampton:** To the Deputy Premier: At a time when there are 23,000 children in Ontario looking for child care space, the best the McGuinty government can do is find someone to blame.

Perhaps the McGuinty cabinet ministers on tour in Quebec will get a briefing on that province's payday lending situation. They won't find a payday loan outlet there because Quebec introduced a hard interest rate cap of 35%. That's what happens when a province takes serious action to prevent payday lenders from ripping off the lowest-income people in the province.

ACORN, the Toronto and York Region Labour Council, Justice Matters, Ontario Consumer Credit Assistance and financial experts all agree. Why won't the McGuinty government agree that this government's Bill 48 must include a hard interest rate cap of 35% so that we can protect low-income people?

**Hon. George Smitherman:** To the Minister of Government and Consumer Services.

**Mr. Peter Kormos:** Is he here?

**Hon. Ted McMeekin:** He's here.

I'm pleased to respond to the question and to begin by thanking the members of the third party. During debate in first reading, they indicated their intent to support this bill, and I really do appreciate that. It's the right thing to do. It's before committee today, as you know, and there could conceivably be a number of amendments put at the



committee. I don't want to prejudge that, so we'll see where that goes later in the day.

1110

**Mr. Howard Hampton:** Yes, we'll support something on first reading to get it before the House. We'll even support something in principle so that we can have a debate. But what's happening now is that it looks as if the McGuinty government is prepared to accept annual interest rates of 60% or more. Do you know what that means? It means—

**Mr. Peter Kormos:** Your bill sucks.

**The Speaker (Hon. Steve Peters):** The member for Welland will withdraw the comment he just made, please.

**Mr. Peter Kormos:** I withdraw.

**Mr. Howard Hampton:** It means that your bill is useless. It means that people would be further ahead to simply refer to the Criminal Code, and that's what Charles Foster of Justice Matters has said. He successfully defends low-income people from payday lender rip-off interest rates. He says that the McGuinty government bill as it stands now is so useless that people would be just as far ahead to use the old Criminal Code. Does that sound like a worthwhile piece of legislation to the McGuinty government, allowing 60% or more interest rates?

**Hon. Ted McMeekin:** Let me just recap for the honourable member what our bill is intended to do. I think it would be a healthy refresher. We've already taken some action, by the way, with respect to posting rates and requiring standardized contracts with all payday lending institutions. Our proposed Payday Loans Act would require lenders and brokers first and foremost to be licensed. That's very important. It will provide authority to set a total cost of borrowing. As the member knows, we're doing something similar to what happened in Manitoba, where they had an independent group look at the rates. We're following their lead there. It would prohibit back-to-back and concurrent loans. It would permit borrowers to cancel loan agreements without penalty within 48 hours—the two-day cooling-off period. And it would impose serious penalties on those who abridge those aspects of the law.

**Mr. Howard Hampton:** It's apparent the McGuinty government is trying to dress up this legislation any way it can. As it stands now, the lowest-income Ontarians, many of whom are forced to go to a payday lender so they can pay the rent or pay the hydro bill or put food on the table for their kids, are going to be charged interest rates of 60% a year, and the McGuinty government says that's fine. The McGuinty government says that's fair. What is fair about charging the lowest-income people in Ontario 60% annual interest rates when they have to borrow money just to make sure their kids have food to eat?

**Hon. Ted McMeekin:** As the honourable member opposite knows, it's a priority of this government to develop a comprehensive poverty reduction strategy, and this is one component of that—one of many components.

I just want to point out to the member opposite not only the demographics of those who borrow money—

**Mr. Howard Hampton:** A 60% interest rate is a poverty reduction measure?

**Hon. Ted McMeekin:** It was 620% in Manitoba. Maybe you could explain that to the House. That's just a bit of an aside.

We would have preferred, frankly, if the federal government had taken their responsibility seriously and come up with some legislation that would have applied equitably right across the country instead of any patchwork quilt. We're working with our provincial partners, including Manitoba, which recently set their rate—their independent panel—at 620%.

#### INFECTIOUS DISEASE CONTROL

**Mrs. Elizabeth Witmer:** My question is for the Minister of Health. It's little wonder that the public has lost confidence in health care in the province of Ontario, as you continue to indicate that you are unaware of the C. difficile crisis or the numbers or what's happened. For example, October 22, 2004, in the Toronto Star: "Ontario's associate chief medical officer of health said there have been two recent clusters of C. difficile in the hospitals." On November 5, 2004, the Guelph Mercury quotes: "Dan Strasbourg, spokesperson for the ministry, said no hospitals in Ontario have reported numbers above the norm."

Minister, you can't continue to assign blame to the hospitals for responsibility. The responsibility is yours. I ask you today, as I asked you before, how many deaths from C. difficile have we seen in this province since 2004?

**Hon. George Smitherman:** The honourable member knows the answer, having asked the same question several times last week. But I do think it is the honourable member's persistent questioning on this point about actions taken and about responsibility which requires some further discussion.

Most certainly, the health care system—all of the pieces that must operate together to use the word "system"—bears responsibility when circumstances are not as good as they can be. That's shared. No one is pretending otherwise, but I think the honourable member is pretending that those people—CEOs and the staff who run hospitals—don't bear any responsibility for the conditions or circumstances in their hospitals. It's just not a responsible position; it doesn't bear up with the reality of the circumstance. We took steps—the infectious disease advisory committee and infection networks—putting people in the hospitals with those responsibilities from a very early start, and the honourable member knows that very well.

**Mrs. Elizabeth Witmer:** I think the minister knows more than he says. A report last Thursday in the Toronto Star says, "Smitherman warned people might be shocked about infection rates when data come out...." Minister, despite your denials, it's clear that you and your ministry



are aware of the infection rates and the death toll from C. difficile. Will you call an inquiry so that we know what happened and why it happened, so that we can protect people in the future?

**Hon. George Smitherman:** It's an irresponsible suggestion on the member's part, and she does not have it accurately. The point is that as you move to a more transparent model of reporting on those things in the hospital environment which are related to patient safety, not just superbugs but also infection—just as we did a few months ago when the mortality rates came out. This is challenging information because it's never been made available before. We find power on behalf of the patients in putting that information in the public domain. That's why Ontario is moving forward with a rigorous model of reporting that hospitals and those who work in those environments have themselves concluded will be very challenging, but the transparency is powerful. Any time you bring to the fore information which has not been available before, everybody who gains access to that information is empowered by it, and that's what my comments related to.

#### WORKERS' COMPENSATION

**Mr. Paul Miller:** My question would have been for the labour minister or the Premier. I'll have to go to the Deputy Premier.

**The Speaker (Hon. Steve Peters):** Just—

**Mr. Paul Miller:** I didn't say they weren't here.

**The Speaker (Hon. Steve Peters):** I'd just remind the members.

**Mr. Paul Miller:** I'm sorry. Minister, yesterday was the 25th anniversary of Injured Workers' Day, a very sad anniversary. On Injured Workers' Day last year, the then Minister of Labour told injured workers that he would introduce legislation to eliminate deeming. Deeming—or, more accurately, the phantom job—is the practice that allows WSIB to pretend that you are working and earning a pretend salary. The WSIB can then reduce your benefits because it pretended that you have a job.

It is one year since the minister made the promise to eliminate deeming, and the WSIB is still deeming, and reaming, injured workers. The workers of Ontario don't want any more delays. When will this government introduce legislation to honour its year-old promise to eliminate deeming?

**Hon. George Smitherman:** I think it's interesting that the honourable member from the party with the history of the Friedland formula would be offering up a word like "reaming." I do think that we've made some progress with and on behalf of injured workers in the province of Ontario. We've seen a reduction in workplace injuries by 24% to date, and recent budgetary action has certainly enhanced the capability of reaching out and lending support to injured workers and their families who are in very, very difficult circumstances with increases that have been above the rate of inflation. I acknowledge that there is more to know about the issue that the honourable

member raises. I know that the Minister of Labour is working on it and looks forward to an early opportunity to discuss in person with the honourable member that very issue.

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**Mr. Paul Miller:** For many, many years, the NDP, injured workers' groups and the labour movement have called for an end to the perverse incentives employers receive under the WSIB experience rating program. This is a program that actually rewards companies to under-report workplace injuries. The McGuinty government has the authority to put a stop to the program immediately. Why won't this government eliminate the experience rating program immediately?

**Hon. George Smitherman:** I know that the honourable member has had an opportunity in the past to discuss that matter with the Minister of Labour. The experience rating program is under review, as the honourable member has had a chance to comment on in conversation with the Minister of Labour prior.

I do think it's important to acknowledge that since 2003 we have added 200 new workplace safety inspectors, making up some progress that had been lost under the prior government, and have had over 33,000 fewer lost-time injuries: 24% reductions overall in those workplace injuries. This is substantial progress on behalf of injured workers.

We acknowledge that we have more to do to make all of the environments as safe as possible, and look forward to the opportunity to make further progress on these matters.

#### FIREARMS CONTROL

**Mr. Mike Colle:** My question is to the Attorney General. Ontarians are well aware of the senseless deaths that too often result because of the unlawful use of guns. We are also aware of the devastating effects these crimes have on victims, their families, and communities at large. It is critical that all levels of government join together to reduce gun crime. I myself have introduced Bill 56, which, if passed, would impound vehicles and suspend driver's licences of people carrying guns.

I also know that the Attorney General is working very hard to try and bring all levels of government, especially the federal government, together in terms of trying to stop the source of guns in Ontario. I'd like to ask the Attorney General how he is engaging the federal government in trying to stop the smuggling of guns into Ontario and taking these dreaded things off of our streets and out of our communities.

**Hon. Christopher Bentley:** The member from Eglinton-Lawrence is right that many of the challenges we face as a society involve engaging other levels of government and require constant interaction and meeting. The gun challenge is one.

We've called on the federal government for a national ban on handguns. We called on the federal government to



increase mandatory minimums and reverse-onus bail, and we're pleased the federal government did that.

We've done our part by putting more police on the streets to go after handguns.

The federal government has started down the road; there's more work to do. We've called on the federal government for tougher border security, and I made an announcement that I'll speak to in the supplementary in Niagara Falls just the other day. But the federal government is involved in border security; they're in charge of the borders. We need them to engage more completely in that issue. And we have worked very hard with municipalities, because the fact of the matter is that municipal police forces as well the OPP are leading the charge against gun crime involved in our guns-and-gangs and other initiatives.

**Mr. Mike Colle:** In my supplementary, I would like to restate to the Attorney General that many MPPs and many elected officials locally in the city of Toronto and the GTA are really fed up with the tragedies that occur almost every day in our communities, and in every case it seems that behind that tragedy is some person with a gun.

I know that he's imploring that the federal government join with this effort to stop this senseless violence that in many cases is ruining communities. Can he please indicate to us what we can all do to ensure that we join together in a real, meaningful partnership to put an end to this gun violence that is destroying families and destroying communities?

**Hon. Christopher Bentley:** The member from Eglinton-Lawrence has been leading the charge for many years on this. He has a private member's bill that we're all interested in reviewing and discussing at length.

One of the things he mentioned in his first question was the issue of border security. It's an enormously important issue. It's one of the four points that we have asked all levels of government to engage in to reduce gun violence. A huge proportion of the guns used in illegal activity are smuggled across the border.

The federal government is in charge of the border. What can they do? Number one, sign the protocols the government of Canada executed years ago to implement the protocols requiring extended marking of all guns manufactured or imported to assist the police in tracing guns used in illegal activity; secondly, make it clear that frames can't be imported in Canada; and third, put some federal prosecutors on our guns-and-gangs task force.

The deaths are there; the officers are there. Federal government, spare a few prosecutors and let's—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. New question.

### HOSPITAL FUNDING

**Mrs. Joyce Savoline:** To the Minister of Health: In government, just as in life, timing is everything. The coroner's report from the Soo hospital in regards to C. difficile and the outbreak they had there has been on your desk for over a year. One of the identified reasons for the

scope of the outbreak and containment challenges was an aging hospital infrastructure. Joseph Brant hospital and the Soo hospital have been in need of funding to upgrade their facilities for quite some time.

Minister, can you tell the people of Ontario, the people of Burlington and the people of the Soo why you ignored the two hospitals that are at the epicentre of the C. difficile outbreak and excluded them from your funding announcement last Friday?

**Hon. George Smitherman:** If they were excluded from our funding announcement last Friday, it is because they don't have one of the 23 worst-performing emergency rooms in the province of Ontario. But on the matter of hospital capital, I think it's important to make three points to the honourable member.

First is that there was a representative from her political party for eight and a half years in government who didn't make any progress on the renewal of that hospital. Indeed, our government has built or initiated the redevelopment of more hospitals than the last five governments in the province of Ontario combined. This is very substantial progress indeed. Indeed, Sault Ste. Marie, one of those that honourable member mentions, has construction of a new hospital that consolidates two former hospitals that is well under way.

No one argues about the need to continue to make investments in hospital infrastructure in the province of Ontario. That's why we're so surprised to see a party proposing to cut health care by \$3 billion.

**Mrs. Joyce Savoline:** I guess I can say that there's some good news with the bad news if Joseph Brant is not considered on the list as one of the 23 worst hospitals with emergency room wait times.

I'm aware that the funding announcement was to resolve some of these wait time issues in hospital emergency rooms, and I am well aware of the need to create priorities. But Minister, only seven of over 150 hospitals have chosen to report their C. difficile deaths, and there are many more of those hospitals that have not reported. They are already 250 deaths in those that have.

The safety of our seniors who are entering Ontario hospitals for elective surgery and never coming out again should be your priority right now. Even the press have acknowledged your partisan tactics. Minister, when are you going to stop playing politics with people's lives and finally give Joseph Brant the funds they need to meet the 2008 infectious—

**The Speaker (Hon. Steve Peters):** Thank you, Minister.

**Hon. George Smitherman:** The press have acknowledged my partisan tactics, in part, in the context of trying to hold the leader of that party to the word that he offers privately. I make no apology for that as he makes these comments on principle but won't hold to them in a public environment.

The funding announcement from last Friday which the honourable member speaks to again was a \$109-million investment, \$30 million of that directed very specifically at 23 hospital emergency rooms. But the balance of the



announcement was designed to affect the performance of all hospital emergency rooms by substantially enhancing the capacity of home care to support our seniors at home with a greater degree of hours, or to exit them from the hospital environment to their home—again, with a greater degree of support from home care. This is an announcement about the whole province of Ontario. It's tied in with our aging-at-home announcement, and is made possible because we're not a party proposing a \$3-billion cut to health care.

### HEALTH CARE WORKERS

**Mr. Peter Tabuns:** A question to the Minister of Health: 10 years ago, Riverdale Hospital, now called Bridgepoint, got rid of all registered practical nurses and brought in personal service providers. Last week, Bridgepoint management officially informed CUPE Local 79, the union representing both groups, of a plan to replace all personal service providers with RPNs by October 2009. Have you encouraged or approved of this plan?

**Hon. George Smitherman:** The honourable member calls—I think personal support workers is what he's referring to. This is not a plan that I have either encouraged or approved of. It's not necessary for the Minister of Health to make approval on a matter that is within the domain, if you will, of the independently governed Bridgepoint hospital. In the case of Bridgepoint, they've made this decision on the basis, I assume, that their budget allows them to bring into positions workers with a greater scope of practice, which ought to offer some enhancement to the people who are there.

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Our concern is for those PSWs who are dislocated. Through the offices of HealthForceOntario, we're going to work to do what we can—as we're also adding hundreds of new PSW positions in long-term care—to transition those individuals who have been put out of work due to the repositioning of positions in the Bridgepoint hospital family.

**Mr. Peter Tabuns:** More than 225 women and men, many from racialized groups, could lose their jobs. You are well aware that there's an acute shortage of registered nursing staff. There will be difficulty recruiting new staff. There will be pressures on Bridgepoint's budget. There's the potential, the risk, that there will be fewer people delivering the care that's required. With that combination of replacement difficulties and higher salary costs, we want to know from you, Minister, that you will be ensuring that there will be no reduction in front-line patient care. Will you make that commitment?

**Hon. George Smitherman:** The plan at present does not offer the prospects of cutting staff. I think the honourable member has offered that up when it doesn't bear up with the information that I have. It's a plan for a one-to-one replacement. There are issues associated with it which are of particular concern, of patients on the one hand who seem to be in a position to have an enhanced

scope of practice on the part of a registered practical nurse, but we're also very concerned about the dislocation of those personal support workers.

As I mentioned to the honourable member, we'll be working through the auspices of HealthForceOntario to see if we can develop some mechanisms—which we have never had in the past, as best I know—to transition those experienced PSWs into opportunities which are emerging in other parts of the health care system. These are decisions that a local independent hospital corporation took. They do have ramifications in health care and for those individuals. We're going to do our very best in the circumstances to affect those employees who will see their circumstances transitioning out of that hospital environment. We're going to look for opportunities for them elsewhere.

### ABORIGINAL RIGHTS

**Mrs. Carol Mitchell:** My question is for the Minister of Northern Development and Mines. I've recently heard and read a number of stories about the Mining Act and disputes that have arisen over mineral exploration activity. On the one hand, I know that mining is very important to our economy and quality of life. It sustains 100,000 direct and indirect jobs in the province and produces the raw materials that drive today's society. On the other hand, I'm very disheartened to read about these mining conflicts in the papers.

I know that in our throne speech, we said we would seek to forge a stronger, more positive relationship with Ontario's First Nations. Could the minister provide clarification around section 35 of the Mining Act and how it might relate to fostering a better relationship with our First Nations partners?

**Hon. Michael Gravelle:** Let me assure the hard-working member from Huron-Bruce that our government has been working over the past several years to continuously improve relationships and engagement processes with First Nation peoples, including a multi-pronged initiative over the past year in particular to develop a consultation framework for mineral sector activities.

In terms of section 35, I think it's unfortunate that the leader of the third party has been providing inaccurate information to the House regarding this part of the Mining Act. In fact, section 35 does allow the ministry to remove crown land from staking, but it cannot be used to cancel existing claims that are in place. So on crown lands that are not yet staked, this could be used to withdraw a culturally sensitive area, as identified by a First Nation.

In fact, just recently we withdrew 2,250 hectares of land from staking in Kirkland Lake at the request of a First Nation in that area. My ministry also has a standing offer to withdraw culturally sensitive sites for other First Nations across the province. We look forward to continuing to work with our First Nation partners.

**Mrs. Carol Mitchell:** I'm certainly encouraged by the government's efforts and that it's committed to working



with First Nations to try to identify sites that should be withdrawn from staking. However, I do have to ask about recent Supreme Court rulings and what they mean for mining in Ontario. As I understand it, the Supreme Court ruled that the crown has the duty to consult where mineral sector activities may negatively impact on aboriginal or treaty rights. I know that the term "duty to consult" is not written in Ontario's Mining Act, so I ask the minister: Does this mean the Mining Act is preventing us from meeting our duty to consult with our First Nations?

**Hon. Michael Gravelle:** It's a very good question. Let me say first off that we are committed to meeting our duty to consult. It's something we take very seriously. We recognize it as a continuing obligation, and our efforts are absolutely ongoing. I must stress that we are meeting our duty to consult in the context of the current Mining Act; in other words, the Mining Act does not prevent us from meeting that duty.

Secondly, we very much welcome the Supreme Court rulings because they help clarify the crown's duty to consult on mineral activities or, indeed, any kind of development which may impact on aboriginal treaty rights. They also stress that all parties need to work together constructively to achieve meaningful consultation. That said, we are committed to reviewing Ontario's current Mining Act, and I am proud to say that the work is well under way. Input from our aboriginal and industry partners, as well as the public, will be a vital component to the review. We look forward to moving forward on that.

### POLYGAMY

**Ms. Lisa MacLeod:** To the Minister of Government and Consumer Services: Under section 293 of the Criminal Code, it is clear that polygamy is illegal, and so is any kind of conjugal union with more than one person at the same time, whether or not it is legally registered. This is contrary to what the minister stated in question period last week. Would the minister like to correct the record, and will the minister finally begin to enforce the law and equality rights for women?

**Hon. Ted McMeekin:** It's a legal question that should go to the Attorney General.

**Hon. Christopher Bentley:** As the member probably knows, the Criminal Code is quite clear. The section has been there for some period of time, and it is being enforced and prosecutions will be conducted if the investigation by the police—and they do the investigation—reveals information on which there are reasonable and probable grounds to believe an offence has been committed. If we receive the charge, then the prosecution is conducted accordingly.

**Ms. Lisa MacLeod:** John Turley-Ewart, today, in the National Post says you are "giving licence to sharia by stealth." The minister knows full well that polygamy is illegal in this country. It is so in the Criminal Code of Canada. There are many documented cases within the last week, whether you're reading the National Post, the Toronto Star or listening to AM640.

Does the minister agree with Imam Hindy, who was quoted as saying, "If the laws of the country conflict with Islamic law, if one goes against the other, then I am going to follow Islamic law, simple as that," or will the minister put Canadian law first, and will he launch an investigation into these illegal polygamist marriages, which are happening right here in the city of Toronto?

**Hon. Christopher Bentley:** For all the commentary, the minister said no such thing. The minister has always taken the position, as we all do, that Canadian law in the Criminal Code is the one that is first and foremost and paramount. That's why we made certain decisions that we did during the last mandate. We are always one that will uphold the law of Canada as outlined in the Criminal Code. From our perspective, if allegations are investigated by the police and the police determine that there is evidence on which to found a charge, that charge will come to the Ministry of the Attorney General's department, to the crown attorneys, and those charges will be prosecuted in the normal course. The Canadian law is paramount—end of story.

### HEALTH CARE

**Ms. Cheri DiNovo:** My question is to the Minister of Health. A number of community activists from northwest Toronto are here in the gallery today. They're here because there has been absolutely no consultation on the site selection for the new Humber River Regional Hospital. Everyone agrees that northwest Toronto needs a new hospital; that's not the issue. But there ought to be a full and transparent consultation process on where it should be built. Why did this minister allow the hospital corporation to shut the public completely out of this important process?

**Hon. George Smitherman:** Firstly, I do want to acknowledge for the honourable member that our government is prepared to invest in the construction of new hospitals, including in northwestern Toronto. They didn't build any hospitals when they were the government, except for a little one here and there, and we're making a real, serious contribution to the renewal of Ontario's hospital stock.

I think it's important to acknowledge as well that the hospital has been very engaged with communities through this very long process of discussion about the construction of a new hospital, and also that there aren't that many 30-acre sites that are available when we start to narrow down the options to make this multi-hundred-million-dollar investment in a new hospital.

I want to acknowledge, as well, our plans to invest substantial resources in the renewal of the existing York-Finch site of the Humber River Regional Hospital chain.

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**Ms. Cheri DiNovo:** Again, to the Minister of Health: In fact, he hasn't replied to 18 registered letters, 9,000 signatures—\$25 million raised by this community and already lost.



MPP Sergio, who I see is actually in the chamber today, said he would resign if the facility at Jane and Finch lost its acute care capacity.

There needs to be Ombudsman oversight, and our Ombudsman, André Marin, has actually agreed with this. So I ask the minister again: Will you at least give Ombudsman oversight to this community and at least return their registered letters? Will you at least listen?

**Hon. George Smitherman:** I know the honourable member is not the health critic, but she sure seemed to be struggling to knit together the storyline there.

No, we're not advancing the governance of Ontario's hospitals to the Ombudsman. We believe in independent, community-based governance. That's been a long-standing tradition in the Ontario health care system.

On the matter at hand, the Humber River Regional Hospital has got lots of integration and engagement with its local communities, and the conversation with respect to the renewal of capital facilities for that hospital has been ongoing for a long enough time that it might be a decade now.

We're going to move forward with plans to renew the capital hospital infrastructure for the good people of northwestern Toronto, because they deserve it. Our government is prepared to commit hundreds of millions of dollars to do that. That includes a new site for the existing Church Street site of Humber River. It also means very substantial renewal and redevelopment of the existing York-Finch site of the Humber River Regional Hospital system. We're proud to be making these investments on behalf of Ontarians.

#### FAIR ACCESS TO PROFESSIONS

**Ms. Sophia Aggelonitis:** My question is for the Minister of Citizenship and Immigration. In my riding of Hamilton Mountain, there has been an increase in the amount of residents who are recent newcomers to the province. Ontario has always been a province of great diversity. In the city of Hamilton alone, over 23% of the population comes from a newcomer background, and over 70 different languages are spoken.

Today some of these individuals tell me that they are finding it difficult to be competitive in the workforce. Hamilton's newcomers, like newcomers across the province, require programs that will help them put their foreign credentials to work in Ontario.

Minister, will you please tell the House about some of the programs already in place in the province to help these newest Canadians?

**Hon. Michael Chan:** My thanks to the honourable member for raising this important question.

Hamilton Mountain, like many communities in the province, enjoys first-hand the many benefits of immigration. The McGuinty government understands that when newcomers succeed, all Ontarians succeed. Ontario is in the privileged situation to attract talented and skilled newcomers from all over the world, and breaking down barriers for these groups is one of our top priorities.

In 2007, the Legislature passed Bill 124, the Fair Access to Regulated Professions Act, and in 2008, this government further showed our commitment by investing \$50 million in bridge training programs.

**Ms. Sophia Aggelonitis:** Minister, in talking to my constituents, I've learned that many newcomers, despite their high levels of education and good skills, are still not employed in their field of training.

I recently made a visit to the St. Joseph Immigrant Women's Centre, which furthered my understanding of the local programs in place to help newcomers with the challenges of a new society. What other assistance exists in Hamilton to ensure newcomer employability?

**Hon. Michael Chan:** My thanks to the honourable member. I'm pleased to hear that she's visiting with service providers in her riding.

Programs to facilitate employment among newcomers are available across the province. In Hamilton, newcomer settlement programs are working daily with skilled newcomers to level the playing field for all. For example, one partner agency, the Settlement and Integration Services Organization, is a community-based organization which exists to serve immigrant and refugee communities in Hamilton. SISO assists by providing assessments of language ability, settlement services and an engineering bridge training program.

Ontario is the destination of choice for newcomers in Canada. We want to keep it up.

#### PRESCRIPTION DRUGS

**Mrs. Elizabeth Witmer:** My question is for the Minister of Health. Today the Toronto Sun reports that your ministry is considering the expansion of prescribing powers for pharmacists, midwives, optometrists etc. I'm going to ask you a very simple question. Yes or no: Are you in fact commissioning a study to review this issue?

**Hon. George Smitherman:** No, the ministry has not directly commissioned such a study, but most certainly HPRAC, which gives the government advice on such matters, is broadly looking into the issues of prescribing—not just in relation to pharmacists, which I think was the context of the question the media asked me about, but also in terms of the class of drugs that nurse practitioners would have the opportunity to be able to prescribe.

Of course, at all times we're seeking to balance the risks and safety of the population with the opportunities to enhance access for Ontarians to important matters like prescribing. Is it appropriate to have people go to a hospital emergency room to get a prescription renewed, or do we think it might be more appropriate to allow a prescription renewal, as an example, to take place with a pharmacist? These are matters that are being discussed. Initiatives have taken place in provinces like Alberta and some other provinces, so I think it is worthy of consideration. No decisions or advice are offered yet on this matter.



**Mrs. Elizabeth Witmer:** I appreciate the answer, and I guess this is a very complex issue. It will require considerable study. You've indicated that HPRAC is undertaking this review. I'm just wondering whether or not the public, at some time, will have an opportunity to provide some input. Will there be any form of public hearings?

**Hon. George Smitherman:** I think it's a little bit premature to conclude what steps should be taken as we go further, but most certainly HPRAC's reports to the government are very public reports. So that's one thing we know for sure: that the public will have an opportunity for engagement on any such matter. We encourage people who are taking witness of this issue now to let us know of their views, or to let HPRAC know, this body that's considering the matter. Actually, I don't know, top of mind, whether that requires regulatory or legislative approval. Obviously, if it is in the legislative domain, if we were to initiate such a policy, there would be opportunities for engagement of the opposition and through committee processes etc.

So it's a little bit hypothetical at this point. It is a matter that there's some report work being done on. No decisions have been taken and no advice has been offered on these points yet, but everybody should be duly acknowledged that there is such consideration in the form of a report ongoing.

### CORRECTIONAL SERVICES

**Mr. Peter Tabuns:** To the Minister of Correctional Services: In 1990, the Supreme Court of Canada declared that the imposition of a year or more of solitary confinement constituted cruel and unusual punishment. The Correctional Service of Canada says that enforced segregation for 60 days is individually destructive and psychologically crippling. Yet here in Ontario, three young men—Fahim Ahmad, Zakaria Amara and Mohammed Dirie—charged, but not tried or convicted, have been in solitary confinement since June 2006. What will your government do to end this shameful and inhumane treatment of these prisoners?

**Hon. Rick Bartolucci:** I think the member knows full well that this is a federal prosecution, and I would think that the member knows the procedure and the mechanics that are in place with regard to that.

**Mr. Peter Tabuns:** This government needs to end this case of cruel and unusual treatment. They're being held by the province. The United Nations has standard minimum rules for treatment of prisoners. Will you adhere to those standard minimum rules?

**Hon. Rick Bartolucci:** With regard to provincial institutions and those people who are incarcerated that fall under provincial law, there is a standard of care that we live up to at all times. Obviously, when there is a federal prosecution that is in place, there are rules and procedures with regard to that that fall under federal jurisdiction.

**The Speaker (Hon. Steve Peters):** The time for question period has ended. It's now time for petitions.

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**Mr. Phil McNeely:** On a point of order, Mr. Speaker: The member for Carleton–Mississippi Mills said that the Ottawa spill was reported to the MOE in 2006, but he lied to this House. It was in 2007, 10 months later. I'd like to clarify—

**The Speaker (Hon. Steve Peters):** First, it's not a point of order. A member can only correct his or her own record and, secondly, I'd ask you to withdraw the comment that you just made.

**Mr. Phil McNeely:** I will not withdraw.

**The Speaker (Hon. Steve Peters):** I'll ask you a second time to withdraw the comment.

**Mr. Phil McNeely:** I will not withdraw.

**The Speaker (Hon. Steve Peters):** A third time to withdraw the comment.

**Mr. Phil McNeely:** I will not withdraw.

**The Speaker (Hon. Steve Peters):** I name Phil McNeely, the member from Ottawa–Orléans, and ask the Sergeant-at-Arms to escort him from the House.

*Mr. McNeely was escorted from the chamber.*

### PETITIONS

#### LORD'S PRAYER

**Mr. Norm Miller:** I have a petition to do with the Lord's Prayer which reads:

"To the Legislative Assembly of Ontario:

"Whereas Premier Dalton McGuinty has called on the Ontario Legislature to consider removing the Lord's Prayer from its daily proceedings; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message is one of forgiveness, of providing for those in need of their 'daily bread' and of preserving us from the evils we may fall into; it is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I support this petition.

#### URANIUM MINING

**Mr. Peter Tabuns:** "To the Legislative Assembly of Ontario:

"Whereas exploration for uranium is taking place in Ontario, including on the traditional territory of Algonquin First Nations; and

"Whereas there is also a risk of seepage of uranium and its toxic by-products into the source of drinking

water for hundreds of thousands of people in the Ottawa Valley; and

"Whereas uranium mining will produce toxic radioactive waste, mainly in the form of a fine powder, which can be carried on the wind eastward towards Ottawa; and

"Whereas Canada exports over 80% of its current domestic production; and

"Whereas short-term profits for a few investors should not be sufficient justification for exploring for, mining and processing uranium near population centres, given the risks to hundreds of thousands of people; and

"Whereas citizens of Ontario oppose the exploration, mining and processing of uranium;

"The Legislative Assembly of Ontario is requested to call an immediate moratorium on uranium exploration and new uranium mines in eastern Ontario until there is a full, well-informed and serious public debate and consensus regarding the impacts of the uranium cycle and Ontario energy policy, including the role of nuclear energy as part of this overall strategy;

"We, the undersigned residents of Ontario, petition the Legislative Assembly of Ontario for a total moratorium on uranium exploration and mining in eastern Ontario until there is a full, well-informed and serious public debate and consensus regarding the impacts of the uranium cycle and Ontario's energy policy, including the role of nuclear energy as part of this overall energy policy."

I agree with this petition and affix my signature.

#### LORD'S PRAYER

**Mr. Bill Mauro:** I have a petition here addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas an all-party committee is reviewing the recital of the Lord's Prayer at the beginning of daily proceedings in the Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message is one of forgiveness, of providing for those in need of their 'daily bread' and of preserving us from the evils that we may fall into; it is a valuable guide and lesson for a chamber that is too often an arena for conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the Lord's Prayer in the Legislature."

#### LORD'S PRAYER

**Mr. Ernie Hardeman:** I have a petition here that was brought to my office by Diane Monk. She collected quite a number of signatures from my riding and, I believe, from the riding just south of me, one that may be well

acquainted with you. It is to the Legislative Assembly of Ontario.

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its place at the beginning of daily proceedings in the Ontario Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message of forgiveness and the avoidance of evil is universal to the human condition. It is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

Thank you very much for the opportunity to present this petition.

#### GRAFFITI

**Ms. Laurel C. Broten:** A petition to the Legislature of Ontario:

"Whereas graffiti creates a nuisance that can adversely affect property values, business opportunities and the enjoyment of community life;

"Whereas graffiti promotes a sense of disrespect for private property, and a perception that laws protecting public and private property can be disregarded with impunity;

"Whereas it is important that everyone do their part in keeping both public and private properties free of graffiti in order to maintain community pride and confidence;

"Whereas the quick removal of graffiti from walls, fences and other structures is critical to maintaining community cleanliness and beauty; it is always true that prevention is the best policy;

"Accordingly we, the undersigned, petition the Legislature:

"To impose certain conditions on the sale of spray paint, broad-tipped marker pens, paint pens, glass-cutting tools and glass-etching tools or instruments of graffiti and to make it be unlawful for any person, other than a parent, legal guardian, school teacher or law enforcement officer in the performance of duty, to sell, exchange, give, deliver, loan, or otherwise furnish or permit to be sold, exchanged, given, delivered or loaned any prohibited graffiti material to any minor unless the minor is accompanied by their parent or legal guardian."

I agree with this petition and I will be adding my name to it.

#### LORD'S PRAYER

**Mrs. Julia Munro:** "To the Legislative Assembly of Ontario:



"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its place at the beginning of daily proceedings in the Ontario Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message is one of forgiveness, of providing for those in need of their 'daily bread' and of preserving us from the evils that we may fall into; it is a valuable guide and lesson for a chamber that is too often an arena for conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I have affixed my signature to this, as I am in agreement, and given it to Radhika.

#### COMMUNITY SAFETY

**Mr. Yasir Naqvi:** "To the Legislative Assembly of Ontario:

"Whereas crack houses, brothels and other persistent problem properties undermine a neighbourhood by generating public disorder, fear and insecurity; and

"Whereas current solutions—enforcement measures based on current criminal, civil and bylaws—are slow, expensive, cumbersome and not always successful; and

"Whereas safer communities and neighbourhoods (SCAN) legislation is provincial, civil law which counters the negative impact on neighbourhoods of entrenched drug, prostitution or illegal liquor sales based out of homes and businesses and is being successfully utilized in Manitoba, Saskatchewan, Nova Scotia and the Yukon; and

"Whereas the following have endorsed SCAN legislation: city of Ottawa, city of Kingston, city of Hamilton, federation of Ontario municipalities, Ottawa Police Service, Ottawa Police Services Board, Ottawa Centre MPP Yasir Naqvi, Ottawa Neighbourhood Watch executive committee, Concerned Citizens for Safer Neighbourhoods, Eastern Ontario Landlord Organization, Friends and Tenants of Ottawa Community Housing, Hintonburg Community Association, Somerset Street Chinatown BIA and the Dalhousie Community Association;

"Be it resolved that we, the undersigned, urge the province of Ontario to enact safer communities and neighbourhood (SCAN) legislation in Ontario for the benefit of our neighbourhoods and communities."

I agree with this petition, affix my signature and send it by way of page Gregory.

#### ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

**Mr. Charles Sousa:** This is a petition to support Bill 50, the Provincial Animal Welfare Act. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the OSPCAA has not been updated since 1919;

"Whereas Bill 50 would require all veterinarians to report suspected abuse and neglect, protecting veterinarians from liability;

"Whereas it would allow the OSPCA to inspect and investigate places where animals are kept;

"Whereas the bill would prohibit the training of animals to fight;

"Whereas Bill 50 would allow the OSPCA to inspect roadside zoos;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 50, entitled the Provincial Animal Welfare Act, 2008, to protect our animal friends."

I affix my signature to the petition and hand it over to Dina.

1200

#### HOSPITAL FUNDING

**Mr. Bob Delaney:** I have a petition to the Ontario Legislative Assembly. I'd like to thank the patients of Dr. Tom Short for having sent it. It reads as follows:

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I'm pleased to sign and support this petition and to ask page Christopher to carry it for me.

**Mr. Michael Prue:** On a point of order, Mr. Speaker: Is quorum present?

**The Speaker (Hon. Steve Peters):** Is there a quorum present?

**The Deputy Clerk (Mr. Todd Decker):** Quorum is not present, Speaker.

*The Speaker ordered the bells rung.*

**The Deputy Clerk (Mr. Todd Decker):** Quorum is now present, Speaker.

**The Speaker (Hon. Steve Peters):** Petitions.

### HOSPITAL FUNDING

**Ms. Sophia Aggelonitis:** I have a petition to the Legislative Assembly of Ontario.

"Whereas the Central East Local Health Integration Network (CE-LHIN) board of directors has approved the Rouge Valley Health System's deficit elimination plan, subject to public meetings; and

"Whereas, despite the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a project that could reach \$100 million, of which 90% is funded by the Ontario government, this plan now calls for the ill-advised transfer of 20 mental health unit beds from Ajax-Pickering hospital to the Centenary health centre in Scarborough; and

"Whereas one of the factors for the successful treatment of patients in the mental health unit is support from family and friends, and the distance to Centenary health centre would negatively impact on the quality care for residents of Ajax and Pickering; and

"Whereas it is also imperative for Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding;

"We, the undersigned, therefore petition the Legislative Assembly of Ontario as follows:

"That the Rouge Valley Health System continue to provide the current level of service to our Ajax-Pickering hospital, which now serves the fastest-growing communities of west Durham; and

"That the Ajax-Pickering hospital retain the badly needed 20-bed mental health unit."

I affix my signature and will pass it to page Jocelyn.

### HOSPITAL FUNDING

**Mr. Joe Dickson:** I have a petition to the Legislative Assembly of Ontario.

"Whereas the Central East Local Health Integration Network ... board of directors has approved the Rouge Valley Health System's deficit elimination plan, subject to public meetings; and

"Whereas it is important to ensure that the new birthing unit at Centenary hospital, a \$20-million expansion that will see 16 new labour, delivery, recovery and post-partum (LDRP) birthing rooms and an additional 21 post-partum rooms added by October 2008, will not cause any decline in the pediatric services currently provided at the Ajax-Pickering hospital; and

"Whereas, with the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a project that could reach \$100 million, of which 90% is funded by the Ontario government ... ; and

"Whereas it is also imperative for the Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding; and

"Whereas the parents of Ajax and Pickering deserve the right to have their children born in their own community, where they have chosen to live and work;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Rouge Valley Health System continue to provide the current level of service; and

"That our Ajax-Pickering hospital now serves the fastest-growing communities of west Durham; and

"That the Ajax-Pickering hospital retain its full maternity unit."

I shall affix my signature to that and pass this to Gregory.

**The Speaker (Hon. Steve Peters):** The time for petitions is about to expire. This House stands recessed until 1 o'clock this afternoon.

*The House recessed from 1205 to 1300.*

### VISITOR

**The Speaker (Hon. Steve Peters):** I'll take this opportunity to welcome a former colleague of ours, Mario Racco, from Thornhill, a member of the 35th Parliament. Welcome, Mario.

### MEMBERS' STATEMENTS

#### ATTENDANCE OF CABINET MEMBERS

**Mr. Garfield Dunlop:** At a time when police and law-and-order folks are crying for resources, when our tourism industry is suffering like we haven't seen it suffer in probably the last 15 years, when we have seen record manufacturing job losses, when farms are shutting down every day across rural Ontario, suddenly, when we have an opportunity to actually do some good in this House and ask some appropriate questions, all of a sudden we find that the McGuinty Liberals have decided to have a cabinet meeting in Quebec.

It's nice to go down there, wine and dine and have a fancy photo op. It's nice when they can go down and give a plaque presentation. The reality is that this costs taxpayers a lot of money at a time when I think they're showing contempt for this Legislature. The reality is that they could have done this during constituency week. They could have done it last Friday. They could have done it on the weekend. They could have waited until the summer months. But what do they do? They hold it when the House is sitting and we, as members of the opposition, require answers to questions—and we don't even get that here.

Do you really care whether you're here or not? That's what you should ask yourselves. Tomorrow when you go



to caucus, make sure you tell your Premier that he's made a huge mistake, because there's nothing but contempt for this place in the fact that this government would have a cabinet meeting in Quebec at a time when the House is actually sitting.

### POLYGAMY

**Ms. Lisa MacLeod:** I must say, the Liberals have officially dug their heads in the sand. I've never been more disappointed in a group than I have been in this Liberal government. By refusing to uphold the rule of law and gender equality rights, by allowing and endorsing illegal polygamous marriages, they are, as John Turley-Ewart says, "giving licence to sharia by stealth."

Real people are suffering because this Liberal government is ignoring reality. Safa Rigby, a 35-year-old mum of five, learned just the other day that her husband had another wife. He was multiply married by Imam Aly Hindy, who justifies polygamy this way: "If the laws of the country conflict with Islamic law, if one goes against the other, then I am going to follow Islamic law, simple as that." That's why others like Alia Hogben of the Canadian Council of Muslim Women ask, "Why are they so wishy-washy? Why aren't the officials doing something" about it?

I intend to do something about it, even though the Liberals are passing around illegal polygamous marriages like a hot potato around the cabinet table. I am therefore calling on the McGuinty Liberal government to uphold the rule of law by investigating and enforcing the law on these illegal polygamous marriages.

Surely the Liberals will consider the impacts on children, on gender equality rights under the Canadian Charter of Rights and Freedoms. And, of course, they will consider the Criminal Code of Canada—or are they secretly putting forward another agenda to bring forward sharia law in Ontario?

These questions need to be asked, they need to be answered by the members opposite, and I demand that they do so.

### CLARKSON VILLAGE

**Mr. Charles Sousa:** I rise today to talk about a historic milestone in my riding of Mississauga South. This year marks the 200th anniversary of Clarkson village.

Clarkson was named after Warren Clarkson, who arrived in 1808 from New Brunswick with others such as Thomas Merigold and Lewis Bradley. He and his family operated the local general store and post office for many years. Their homestead, built in 1819, still stands, and today it is known to the people of Mississauga as the Bradley Museum.

In honour of the family, the road leading up to the estate became known as Clarkson Road and the surrounding area was renamed Clarkson Corners.

Clarkson village is the oldest of our waterfront communities, and the residents are proud of this heritage and of this important historical landmark.

On June 21, Clarkson will be hosting a celebration to mark its 200th anniversary, which will include many attractions such as horse-and-buggy rides, children's entertainment, live music and much more. I encourage all members of the House to join me and the residents of Clarkson on June 21 to celebrate this once-in-a-lifetime occasion.

I offer my congratulations to the people of Clarkson and many thanks to the Clarkson 1808 Celebration Committee and the volunteers and sponsors who have given so generously of their own time and money. Their efforts are what make this year's festivities possible.

### STREETSVILLE

**Mr. Bob Delaney:** The year 2008 marks the 150th anniversary of Streetsville. This year, Streetsville will celebrate our present and past: recent history and events and traditions that span the centuries back to Queen Victoria's reign, when Streetsville was founded and named after local resident Timothy Street.

Streetsville's service clubs, community groups and organizations have established the Streetsville 150th Celebration Committee. Some of the committee members are guests with us here today: Bernice Cunningham, Carol Cairns and Scott Brubacher. I call members' attention to them in the members' east gallery. I certainly welcome them to Queen's Park.

Throughout 2008, Streetsville will celebrate with events, festivals, theatre and, of course, hot dogs, hamburgers and fireworks. On September 13, in the heart of Streetsville, people who were not here or perhaps not alive to see the celebrations that Canadians held coast to coast during our centennial year will feel some of that ambiance as Streetsville holds a day-long anniversary party. Other events include Streetsville's annual Bread and Honey Festival this coming weekend, Canada Day celebrations, Driftwood Theatre and Shakespeare Under the Stars.

The village of Streetsville is exactly the type of village that people will remember. Let's party hearty and start another 150 years of history, progress and memories.

### JOHN MCLAUGHLIN

**Mr. Michael Prue:** I rise today to pay tribute to Mr. John McLaughlin. Mr. John McLaughlin is a resident of Beaches-East York, and he is a former provincial employee. Having worked for more than 25 years, he's a member of the Quarter Century Club.

I'm here today to pay tribute to him because he was a winner recently, on May 21, 2008, of the community service award for former provincial employees. He was presented that award by Lieutenant Governor David Onley.

He has been absolutely instrumental to so many things in Beaches—East York, particularly in the East York area. He was one of the fixtures of the mayor's Christmas dinner, which is held every year on Christmas Day for people who otherwise would not have a place to spend Christmas with family. He is a member of the Kiwanis Club. At Toronto East General Hospital, he's on the volunteer services. On the Toronto East General Hospital Foundation, he does a lot of work around the Beaches Jazz Festival and the Taste of the Danforth. Mr. McLaughlin is a member and a past president of True Davidson Meals on Wheels, delivering meals for the last several years, and he even worked his way up through that rank as well.

To show you how strong a person he is, he had to have knee surgery a few years ago, and within one week he was back there in the hospital—not in the bed, but on two canes—talking to the patients as they arrived, in one of his jobs as a greeter.

I can only say: Congratulations, John; job well done.

#### REPUBLIC OF ITALY

**Mrs. Laura Albanese:** June 2 marks the 62nd anniversary of the birth of the republic of Italy. This is one of the most important Italian public holidays, which, like July 1 in Canada and July 4 in the United States, celebrates the birth of the nation.

The national holiday of the republic of Italy—la Festa della Repubblica italiana—commemorates the national referendum of 1946, when Italians voted against the monarchy and in favour of a republic. It is important to note that this was also the first time that Italian women were allowed to vote.

Today also marks the 60th anniversary of the adoption of the Italian Constitution, which came into force on June 2, 1948, while the country was still emerging from the rubble and the devastation of the Second World War.

The national holiday of the republic of Italy is celebrated by many Italians living in different countries all over the world. Italian embassies and consulates worldwide hold celebrations in which heads of state of the host country are invited to participate. Here at Queen's Park, a celebration is hosted every year by MPPs of Italian origin, and it is going on as we speak. Celebrations held on this day offer Italian Canadians the opportunity to celebrate their heritage and offer other Ontarians the chance to learn more about the Italian culture and the contributions of Italians over the centuries. Congratulations to all of those celebrating Italian Republic Day.

1310

#### ONTARIO FARMERS

**Mr. Ernie Hardeman:** New and young and expanding cattle, hog and horticulture farmers need help. That shouldn't be a surprise to the members of the Legislature, because our party has told them over and over that under the government's cattle, hog and horticulture program,

these farmers didn't get the support they deserved. We told them about retired farmers getting cheques for \$80,000. We told them about farmers who got cheques for livestock they didn't have. Yet the government has done nothing to solve the problem.

I want to commend the farmers in my area who are also working to raise awareness of the situation, farmers like Tina Veyhof, a pork farmer who has spoken out about her struggle to hold on to her farm and feed her four children because she didn't receive support under this program, and farmers like Rene Boerkamp, who recently wrote to the Ontario Farmer about his situation and asked others to share their stories. He said, "An injustice has been done regarding the Ontario cattle, hog and horticulture payment program, in which the beginning and/or expanding producer has been left in the cold and as a result has to deal with not only bad market conditions, but also with colleagues who are a few steps ahead through a government payment they did receive, therefore creating an unlevel playing field between farmers."

If the government won't listen to us, maybe they will listen to these farmers. They are the ones who need help. They are the reason the government needs to fix this program before anyone else is forced out of farming.

#### PSYCHIATRIC PATIENT ADVOCATE OFFICE

**The Speaker (Hon. Steve Peters):** The member for Etobicoke North.

**Mr. Shafiq Qadri:** Grazie, Signor Presidente.

Last week, the Psychiatric Patient Advocate Office, an arm's-length advocacy and rights protection program of the Ministry of Health and Long-Term Care, celebrated its 25th anniversary.

In 2001, the PPAO's mandate was expanded to provide rights advice to patients in general hospitals with a mental health unit and to patients living in the community who are being considered for community treatment orders, and their substitute decision-maker, if any. This means that the PPAO is now a service provider in almost every community in Ontario. Last year, this resulted in more than 22,000 patient visits, with service being provided in 45 languages.

I am proud to be part of a government that has invested \$270 million in new funding for community mental health, a 66% increase in support. This means that 208,000 new clients are being served in the community, including assertive community treatment teams, crisis management programs, residential safe beds, supportive housing, and early intervention programs for adolescents and young adults.

On behalf of the people of Ontario, I invite you to join me in congratulating the PPAO on its quarter-century of service to the people of Ontario.



## INJURED WORKERS' DAY

**Mr. Khalil Ramal:** Yesterday, June 1, was Injured Workers' Day. It's a day on which we remember those workers who have been injured, have become ill or have died on the job.

This year was the 25th anniversary of Injured Workers' Day, and its importance and symbolism have not wavered at all throughout the years. It is never easy to hear of a worker being injured on the job. This government knows that when a worker is injured, there are repercussions not only at work but also in terms of how it affects his or her family and quality of life.

The health and safety of Ontario workers is one of our government's top priorities. The Ministry of Labour continually participates in awareness campaigns with its health and safety partners to increase the collective knowledge of hazards in the workplace.

We have taken action to put more money into the hands of injured workers through benefit increases and announced reforms to the Workplace Safety and Insurance Act. This government has also paid special attention to our new and young workers to ensure that they have information about safety and employment standards as they are entering the workforce. This government knows that we all need to work hard to prevent these injuries from happening, but also to recognize the help that's needed when injuries do occur.

## REPORT, CHIEF ELECTORAL OFFICER

**The Speaker (Hon. Steve Peters):** I beg to inform the House that on May 29, 2008, the Chief Electoral Officer tabled his report on the 2007 referendum returns and his report on selection of the Citizens' Assembly on Electoral Reform.

## INTRODUCTION OF BILLS

### OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT (WORKPLACE DEATH, CRITICAL INJURY AND OCCUPATIONAL ILLNESS REGISTRY), 2008

### LOI DE 2008 MODIFIANT LA LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL (REGISTRE DES DÉCÈS, DES BLESSURES GRAVES ET DES MALADIES PROFESSIONNELLES SURVENUS DANS LE LIEU DE TRAVAIL)

Ms. Horwath moved first reading of the following bill:  
Bill 84, An Act to amend the Occupational Health and Safety Act to create a registry of workplace deaths, critical injuries and occupational illnesses / *Projet de loi 84, Loi modifiant la Loi sur la santé et la sécurité au travail afin de créer un registre des décès, des blessures*

*graves et des maladies professionnelles survenus dans le lieu de travail.*

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Ms. Andrea Horwath:** The bill amends the Occupational Health And Safety Act to create a registry of workplace deaths, critical injuries and occupational illnesses, information that is currently provided to the Minister of Labour. The online registry would make it available to everyone.

## ORDERS OF THE DAY

### COSMETIC PESTICIDES BAN ACT, 2008

### LOI DE 2008 SUR L'INTERDICTION DES PESTICIDES UTILISÉS À DES FINS ESTHÉTIQUES

Resuming the debate adjourned on May 26, 2008, on the motion for second reading of Bill 64, An Act to amend the Pesticides Act to prohibit the use and sale of pesticides that may be used for cosmetic purposes.

**The Speaker (Hon. Steve Peters):** Further debate?

**Mr. Norm Miller:** I am pleased to have the opportunity to speak for a few minutes to Bill 64 this afternoon. I sure wasn't planning on speaking to it this afternoon, but I know our member from Niagara West-Glanbrook will be here shortly to speak to the bill. I would like to get a few points on the record, as this may be the last opportunity there is to speak to Bill 64 in its second reading. It is, of course, the Cosmetics Pesticides Ban Act, 2008.

I think most people in the general public support reducing unnecessary use of pesticides, which, as we know, means insecticides, herbicides, fungicides. My impression of this bill is that the bill itself is cosmetic, as so many different bills that the government is putting through this Legislature are. It is my feeling that this bill is really more superficial. It's about optics. It's about looking like you're doing the right thing to do what is perceived to be reduction of use of harmful and toxic substances, but I would argue that it's not necessarily based on fact.

One point I would like to make is that this bill would address a very tiny amount of the actual pesticides used in society; some 4% or 5% are used on people's lawns. We've heard the argument from the government that it's okay for golf courses, which use of course far more pesticides than people do on their lawns, because the golf courses have training. I would say that if that logic is to be followed, it should be fine that businesses—in our area, we have the Weed Man; I would argue the people who work for the Weed Man and do the application of



pesticides through that business are probably as well-trained or better than farmers who will use pesticides in the growing of crops. Using the government's own logic, I would think they may consider an exemption for some of those businesses that certainly have expertise in the proper application of pesticides.

1320

They say also that this bill is based more on political science. When you look at information coming out recently from Health Canada on a popular herbicide—I think it's an herbicide—2,4-D, which just came May 16, 2008, Health Canada finds that 2,4-D can be used safely. It is the federal government that has traditionally regulated pesticides. So here we see this coming out May 16, stating:

"Jim Gray, executive director of the industry task force ... on 2,4-D research data, said, 'After reviewing an unprecedented depth of scientific data and expert panel reviews regarding the impact 2,4-D may have on children, adults, animals and the environment, Health Canada determined the herbicide meets all of Canada's pesticide health and safety regulations, which are among the toughest and most stringent in the world.

"These most recent findings by the PMRA are consistent with previous decisions made by authorities including the World Health Organization, European Commission, US Environmental Protection Agency, and recent studies by the US National Cancer Institute that deem 2,4-D to be a valuable and useful herbicide that does not pose human health or environmental risks when used according to label instructions,' Gray added.

"This conclusion supports the 2005 and 2007 draft assessments issued by PMRA, which found that 2,4-D can be used safely on lawn, turf, agricultural, forestry and industrial sites when label directions are followed."

It seems to me that this is a pesticide that the federal government, through extensive scientific testing, has found to be safe to use. Yet, with this Bill 64, I believe it is one of the substances that would no longer be available to be used in Ontario, even by trained professionals. Other than in the arena of public opinion, where people just assume that all pesticides are bad and will hurt the environment and risk public safety, it seems to me that actual science is not what is determining the construction of this bill; it is more political science, because it is a popular thing to do. That is true of so many of the different pieces of legislation this government has brought forward.

Recently I met with the local East Nipissing-Parry Sound chapter of the Ontario Federation of Agriculture, as I do from time to time. I met with them in Magneta-wan—I always enjoy getting together with the Ontario Federation of Agriculture—and they let me know some of their concerns with what they've been hearing about what's going on. One of the bills they expressed concern about was this Bill 64, the Cosmetic Pesticides Ban Act. I did point out to them that agriculture is excluded from coverage in this bill, and they were happy about that. I know they are trained and that they have different

systems in use on the farm to regulate how they use pesticides. But they still had concerns, and they still wanted to make their feelings known, when given an opportunity when the bill might move to the committee stage. I assured them I felt quite confident that the government would want to get input from other interested stakeholders, so I said I felt quite confident that the bill would be going to summer committee hearings and that it would likely travel around the province so that those in rural areas would get an opportunity to comment to the bill.

I've just recently learned that that is in fact incorrect, so I'd like to make sure the members of the Ontario Federation of Agriculture realize that they won't get an opportunity, at least not close to where they live, to give input in this bill, and to just forewarn them that by the looks of things, the government is going to rush this bill through and try to pass it before the end of this session of the legislature. So those interested stakeholders should immediately give comments to whatever committee the bill gets referred to. You'll get a very short window of time to be able to make comment to the bill. I just wanted to make sure the Ontario Federation of Agriculture was aware that there likely would not be summer hearings on this bill.

I suspect that the reason the government is trying to rush the bill through now is that there are actually people on the other side who want to see tougher legislation than this bill is putting forward: probably some municipalities that already have tougher pesticide bans in place that will be weakened by this provincial bill because it's going to take precedence over the municipal bills that are already in place. I think the government wants to rush this through and get it over with as quickly as possible.

As I say, it's all about optics. They can say they've brought in this ban and they're protecting the province, whether it is based on science or not, not wanting to take the time to get input from farmers and perhaps those in industry who are in the business or some of the scientists who have done studies. They just want to get the bill passed quickly. To those who may want to give comment, you're going to have a very short window to do that at committee. Make sure you check with the clerk of the committee to find out when you have that opportunity and make your voices known.

Thank you for the opportunity to speak to Bill 64, the Cosmetic Pesticides Ban Act, this afternoon. I would like to share my time with the member—

*Interjection.*

**Mr. Norm Miller:** It's a rotation, so our member will have a chance to speak.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments? Further debate?

**Mr. Tim Hudak:** I am pleased to rise to offer some comments on Bill 64, the Cosmetic Pesticides Ban Act. I have some comments on behalf of my constituents from Niagara West—Glanbrook, and I have some personal comments on the legislation as well.



First I want to commend Toby Barrett, the MPP for Haldimand-Norfolk and critic for the Ministry of the Environment. I think he has done an outstanding job on this legislation. He has researched it thoroughly and has spoken quite eloquently to this bill.

I hope the minister will be open to the amendments that I anticipate Mr. Barrett will be bringing forward on behalf of the PC caucus. I'll speak to a few of those things that I hope the minister will take into serious consideration as he reviews the Hansard debate at second reading as well as any amendments to the act that are brought forward.

I do have to make sure I give some initial comments about how the bill was announced. You may remember that a big press conference was held on Earth Day with Premier McGuinty, and Minister Gerretsen in tow, and probably a bevy—is "bevy" the appropriate word?—a horde, of staff from the Ministry of the Environment and the Premier's office in attendance. The Premier was asked a question by the media: Would this legislation overrule any kind of municipal frameworks, or could municipalities have more strict rules on top of Bill 64, if passed and implemented? Members will recall that the Premier said that indeed municipalities could have stricter rules on top of Bill 64, that it would be the floor, and municipalities could put their own set of rules on top.

Of course, this was not in keeping with the facts; it's quite the opposite of what the bill states. The bill says it's a province-wide scheme, that municipalities could not have rules that are of a higher standard than the province. The Minister of the Environment, Mr. Gerretsen, was standing beside the Premier at that point in time. You would expect that he would have corrected the record. The Premier misspoke because he wasn't properly briefed, he didn't want to give the proper answer, or for whatever reason. But Minister Gerretsen did not correct the record, and I think Robert Benzie of the *Toronto Star* has made some suggestions about a chill that has come down from the Premier's office and those working in the Premier's office and the ability of ministers to express themselves and to respond to questions if not in line with the Premier's wording.

So Minister Gerretsen stood there without indicating that the Premier had misspoken. I think if the minister had corrected the Premier at that point in time, it would have killed the story. It would have got the facts out to the general public through the media. He may have had his wrist slapped for contradicting the Premier, but in the interest of being honest about what's in the bill, I would have hoped that the Minister of the Environment would have corrected the Premier. Instead, he stood there mute on the stage and did not correct the Premier.

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There was another opportunity for the minister himself or his staff to correct the record among the media after the press conference. That, too, was an opportunity that was not taken up by the staff at the Ministry of the Environment or in the Premier's office, and it allowed the story to go out for approximately a week to the media

and to stakeholders that the bill would allow municipalities to have higher standards than those in Bill 64's regulations. That was not true; that was a false impression that had been put out there. Strangely, sadly, nobody in the Premier's office or the ministry made an attempt to correct that.

Later on, some members of the media discovered that this was not the case, and they pestered the minister about it. I would've expected that the Minister of the Environment would've apologized here in the Legislature for allowing a false statement to be spread through the media in that sense. Unfortunately, he failed to do so. As a result, what should have been a good-news announcement for the government was spoiled by the Premier's lack of understanding of his own bill, the minister's inability to correct the Premier, and a lack of any activity by staff to make sure the media had the facts with respect to the bill.

As I said, I think that shows two things. First, ministers are very wary of crossing the Premier. Political staff and ministers' offices are obviously very wary of running on the wrong side when it comes to Premier's office staff. Third, I think it illustrates a bit of duplicity. Are the McGuinty government's environmental initiatives all they're built up to be?

**Hon. Donna H. Cansfield:** I don't think that's a nice word.

**Mr. Tim Hudak:** To my friend the Minister of Natural Resources: I think it's accurate when it comes to a number of your bills. I know that if you were the Minister of the Environment at the time, you would've corrected the Premier. You would've been confident in your standing and confident in your knowledge of the bills, and you would've made sure that this issue was killed immediately, as opposed to having it spread out there for a week or so. But I'll get into some other aspects of the bill.

I wrote to the minister on May 2, Madam Speaker—Madam Speaker, of course, hailing from the Hamilton area, and well aware of the gypsy moth concerns we have in Hamilton, the rural areas which I represent around the Glanbrook area, upper Stoney Creek, and spreading eastward into West Lincoln, Pelham and Grimsby. In fact, the gypsy moth infestation is now being found along the Niagara River at the easternmost boundary of Niagara, Fort Erie, Niagara Falls and Niagara-on-the-Lake. A spraying program is happening, but it's been funded exclusively by landowners and some municipalities.

I've called upon the Minister of Natural Resources, actually—and I hope she is still considering this—to resurrect the old provincial cost-shared program that split costs between the Ministry of Natural Resources, municipalities and individual landowners to eradicate gypsy moths. The problem is that we are at infestation levels we have not seen in many, many years. I thought it was an appropriate measure. I hope the minister is taking that into full consideration and will help out. Otherwise, I fear what kind of damage will be caused to the ecosystem in



Hamilton, Glanbrook, Niagara and even to areas like Brantford.

The reason I bring this up, Madam Speaker—you're probably wondering—about gypsy moths and the Pesticides Act is that the minister has given himself some exemptions in the act. In fact, a large room for exemptions has been one of the criticisms we've heard here in the Legislature, the number of exemptions and the vagueness about what those exemptions are going to be. One area that I have called on the minister to clarify is if spraying for insects that are causing significant damage, like gypsy moths, will be allowed under the act or not. When we contacted the Ministry of the Environment, they said that it had not yet been determined if that would be the case or not.

So I wrote to the minister on May 2, and I hope to hear back from him soon. Let me just quote you a little bit from my letter. The ministry did "include some exempted uses in the legislation, such as for agriculture, on golf courses, and for managing forestry issues. Residents and municipal leaders in Niagara and Hamilton are concerned that Bill 64 will effectively ban the spraying of gypsy moths in areas other than those used for agriculture."

A number of local municipalities such as Hamilton and West Lincoln have implemented cost-shared aerial spraying programs with local residents to combat the gypsy moth problem. I have joined with those municipalities and property owners in calling the province to come forward with its own cost-shared spray program. However, they've expressed concern that if the province bans spraying for gypsy moths, the infestation will no doubt continue to spread into new territory, including provincially protected areas like the Niagara Escarpment and the Ontario greenbelt. I've kindly asked the Minister of the Environment to clarify and confirm that spraying for gypsy moths and the like will be allowed to continue should Bill 64 come into law. I do hope to have a response from the minister in the very near future.

We did have a response from Aidan Hyde—I don't know if that is Aidan sitting over there. No, not Aidan. Well, Aidan Hyde, from the minister's office, did respond, indicating that the ministry will look at amendments to regulation 914, but at the time was not able to give us clarification on the minister's intent when it comes to spraying for gypsy moths.

I also wrote to the Minister of the Environment on June 2—today, Madam Speaker; and the minister will have that on his desk shortly—on behalf of a hardware operator in my riding. Vineland Hardware Electric Ltd. does a great job and has outstanding customer service. They're close to the corner, just east of Highway 8 and Regional Road 24. It's one of the last truly independent hardware stores in the province of Ontario. It has that stature, if you will, because of its outstanding customer service, its history in the community and its great selection of products.

Mr. Horsley, the owner, asked me if what he heard was true—I think he said it in the *Globe and Mail*, but I can't say with certainty if it was in the *Globe and Mail* or

another journal—that Roundup was going to be exempted from the act but other pesticides like Killex and some of its competitors would not be. Mr. Horsley asked me what determination the minister would use for exempting certain pesticides and not others. I wrote to Minister Gerretsen on his behalf. Just to quote from the letter:

"I kindly ask that" Minister Gerretsen "respond to Mr. Horsley at the address provided below and explain how you will be making these determinations and the science that's involved in the decision-making process. He would also appreciate an explanation of how you expect this ban will impact retailers like him. And finally, if the above-mentioned media reports are true, why is Roundup entitled to a specific exception while others are not?"

There's more detail in the letter, but I wanted to make sure that the minister was aware of the concerns of Mr. Horsley and other hardware store owners and retailers in the province like him.

We also contacted a number of municipalities in our area and asked for their views on the proposed legislation. We received a response from Larry Fortier, who is the manager of parks and facilities with the town of Grimsby. I'll give you some of the bullet points that Mr. Fortier brought back to my attention.

He says, "It will be interesting or even may be a non-issue for us depending on the definition of the term 'cosmetic,'" which is in dispute as part of our debate. He says that the "department in Grimsby has always used very little pesticides for aesthetic reasons.... Our main use, of the various pesticides available; is to aid us in providing safe and healthy turf for our facility users. We also only apply pesticides when necessary; the industry term is 'integrated pest management.'"

He goes on to say, "Those of us in the sports turf industry are making grass do things that it was never really put on this planet to do—grown at very low heights and see constant use throughout the growing season. The wear and tear combined with the requested mowing heights causes the turf to be in an almost constant state of stress, thus weakening the grass plant, making it more susceptible to pest investigation (weeds, insects and disease). Without the aid of pesticides and with our current manpower it would be next to impossible to provide safe, healthy-quality playing fields."

That comes from Bruce Atkinson from the town of Grimsby. Larry Fortier had some concerns as well about the impact on municipalities.

We also heard from the city of Welland, which expressed concerns about bowling greens and sports fields. He says about sports fields:

"We spray Roundup on warning tracks and stone infields and on softball fields. Failure to do this would result in grass and weeds growing, which could lead to a liability issue. To manually do this would be a big cost to the taxpayers, as it would take many man-hours."

He goes on about insecticides, but in the interest of time I won't get into great detail. Maybe I'll copy these to the Minister of the Environment for his information.



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The bottom line from the city of Welland staff was, if pesticides are omitted from our maintenance plans, our bowling green would close, sports fields could have liability issues and taxpayers would be on the hook for more money, with fewer services. I hope the Minister of the Environment will respond to the concerns of our municipal partners.

There are exemptions for golf courses. Bill Carroll on CFRB has pointed out—with great comedy, I'd say—that somehow golfers are immune. If pesticides are so nasty for families, children and residents of the province of Ontario, what is it about golfers that makes them immune to the ill effects of pesticides? Perhaps if we all carried putters around we could ward off the evil impacts of pesticides. Mr. Carroll, among others, has pointed out: Why golf courses and not parks? At the municipal level, why golf courses and not front lawns? If pesticides are so negative in their impact, why was it not more broad-based instead of this exemption for golf courses? I'll ask my colleagues opposite; maybe the minister for public safety and security can tell me: What it is about golfers that makes them immune from the ill effects of pesticides?

**Mr. Norman W. Sterling:** They're going to ban shorts.

**Mr. Tim Hudak:** They're going to ban shorts?

**Mr. Norman W. Sterling:** Yes, so you can't get the ill effects on your legs.

**Mr. Tim Hudak:** So shorts instead will be banned on golf courses, my colleague from Mississippi-Carleton—

**Mr. Norman W. Sterling:** Carleton-Mississippi Mills.

**Mr. Tim Hudak:** Exactly, like I said.

Anyway, I wanted to bring those points forward that we have received from a number of constituents and municipalities in my riding. I have one from a resident of Grimsby, who asked not to be named but acts as a greenskeeper at a golf course in southern Ontario. We'll make the case that golf courses should be exempted. I said I would read this into the record. The constituent writes, "As you know, all of our products are extensively tested and pose no health hazards. No country is more strict than Canada in ensuring the safety of Canadians in terms of pesticide use. We are professionals and do our applications strictly according to label rates.... These chemicals are expensive and we do not waste them.

"We in the golf industry need our exemption and we need your help."

So an individual who works—doesn't own a golf course; a worker in a golf club, who lives in my riding, makes that point. I guess the other point would be, if the exemption exists for golf courses, as the constituent indicates, why is the minister not similarly considering exceptions for municipal parks, as Welland and Grimsby have brought forward?

I did have a letter as well from Lavinia Sharp, who's a constituent of mine in the beautiful community of Caistor Centre. Ms. Sharp is a supporter of the legislation. She

did talk about gypsy moths, because she was aware of my letter to the minister asking for an exemption to allow for spraying of these pests that are causing considerable damage in the rural areas outside of Hamilton and in Niagara. She writes in her letter, "I have witnessed devastation throughout West Lincoln from this invasive, non-native species and find it alarming that this spray would ever be considered 'cosmetic.' My mother and I have a 25-acre woodlot and it's a costly matter of survival, not a matter of cosmetic upkeep, for the trees in our lot." Woodlots are another exemption, but I think the point is that Ms. Sharp writes that gypsy moth spraying should be an exempted use.

She responded to my concerns about the way this bill was introduced, the Premier saying something that was not, in fact, in the bill, and the minister's failure to correct him. She responded to me in writing here: "Yes, I feel misled by their actions and I'm angry about it. They should apologize for their greenwash and strengthen this important legislation to allow constituents to further protect themselves. I want them to be taken to task for misleading me and I want them to live up to what they claimed, even if it was a claim in error. That's what's most important to me." I said I would bring her concerns forward. It's something that she says she has been concerned about for some time.

In her letter she also says, "And my concern has grown as I've watched development run rampant in ecologically sensitive areas and unnaturally green lawns appear across our landscape. With each step"—she asks for expansion of the Greenbelt Act and for stronger legislation, but as I said, she also concurs that the way the bill was brought forward was under some pretences that weren't in keeping with the facts.

The other thing I don't think I fully understood from the minister was, if my understanding is correct, that all of these pesticides are reviewed by Health Canada. Health Canada invests significant resources in ensuring a top-quality scientific review of a pesticide and its potential impact on the environment.

I used to speak in this Legislature, when Minister Gerretsen was the Minister of Municipal Affairs, about the political science that was underlying the greenbelt boundaries, as opposed to environmental science. I am concerned that he has brought the same bag of tricks over to the new Ministry of the Environment, where his decisions of what would be allowed uses or not—what pesticide would be allowed or disallowed in the province—may be based more on political science than on good environmental science.

It may also be reflective of who's the best lobbyist. I believe that the vast majority of taxpayers in the Niagara West-Glanbrook area would like to ensure that if any pesticides are banned, they are so done based on the scientific merits of the argument as opposed to who's gone to whose fundraiser or any other political considerations rather than on good science.

The last thing I'll say on this is that municipalities have had a role historically. I've mentioned a couple of



reasons why. They've played that role to make their own judgment locally of what kinds of property standards to enforce through their bylaws. This is consistent with municipalities' historic roles in these areas. This would take away any municipal discretion. I know that the city of Toronto, among other municipalities, has written to the minister expressing their concern about Bill 64.

That's the bottom line. People of Niagara West—Glanbrook have responded. I'm glad to have a chance to read them into the record. I do hope the Minister of Environment will respond to both of my letters soon. I do ask him to take seriously the views brought forward by our hard-working critic from Haldimand—Norfolk, Toby Barrett.

**The Acting Speaker (Ms. Andrea Horwath):** Thank you.

Prior to calling for questions and comments, Vic Dhillon, the member for Brampton West, has asked me to acknowledge the presence of Mr. Sukh Dhaliwal, an MP currently in the riding of Newton—North Delta. Welcome. Thank you for joining us.

Questions and comments? The member for Carleton—Mississippi Mills.

**Mr. Norman W. Sterling:** I'd like to compliment the member for Niagara West—Cranbrook—Glanbrook; it's as bad as Carleton—Mississippi Mills.

I want to point out, particularly for the young people sitting up in the east gallery, the structure of how we control pesticides and herbicides in Canada, in Ontario and in our municipalities.

First of all, the federal government is responsible for approving the product. They have a board of the most eminent scientists in all of Canada to determine the risks and the benefits of any pesticide or herbicide that might be used on our farms, in our gardens, on our lawns, on our golf courses etc. They determine whether or not a product should be put up for sale, should have restrictions on it in terms of whom it's sold to or whether it should be applied by people who are specially trained.

The province's role is to license people who can put these products on our lawns, on our gardens and on our farms. So this again is another set of experts who decide what the training shall be, what the qualifications shall be, to put those products on those particular areas.

So our objection—perhaps most of our objection—to this is that there have been no scientific studies done by the government of Ontario to show that there is a huge risk, or any risk, associated with putting pesticides on lawns or on the side of our highways etc. We would love to see the facts before we vote on a piece of legislation to ban this particular use. Maybe the ban should be wider. Maybe it should be narrower. Maybe there should be no ban.

**Ms. Sylvia Jones:** I am pleased to rise to comment on the discussion of my colleague for Niagara West—Glanbrook on Bill 64. I think he ably set out that, from the beginning, this legislation has been bungled. From the day of the announcement—and we now realize that the premier misspoke the depth of where this ban could be

implemented—we've now heard from communities like Collingwood, Toronto and Markham, who are saying, "Hold off. If you pass Bill 64, you're actually going to downgrade the level of protection that we, as a community, have held public hearings and passed a bylaw on."

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How unfortunate, because there are organizations, municipalities and individuals who'd like to participate in the debate on Bill 64. I, for one, would love to hear from the Ontario Pesticides Advisory Committee. If you look at who makes up this committee, they are plant physiologists, environmental chemists, pharmacologists, toxicologists, environmental toxicologists, plant pathologists, community medicine, environmental agriculturalists, forest pathologists, environmental biologists, and on and on it goes. How unfortunate that the government has chosen, by not bringing forward public hearings and travelling committee hearings, that we won't have the benefit of these scientific committee members who can share with us what they've done in the past and what they can do in the future in terms of regulating and mandating pesticides in Ontario. I think it's a real shame that they've chosen to ignore those experts and instead relied on polling and their own internal discussions to proceed with Bill 64 without travelling hearings.

I will leave it at that for future debate.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments? Response?

**Mr. Tim Hudak:** I thank my colleagues from Carleton—Mississippi Mills and from Dufferin—Caledon for their comments, and they're both right. My colleague from Carleton—Mississippi Mills points out, as a former Minister of the Environment—and a darned good Minister of the Environment, let me add—that Health Canada already reviews these. An eminent panel of scientists, for example, looks at these products. Surely decisions should be based strictly on science and not the politics of a particular chemical or which company has been to which member's fundraisers, by way of example.

The minister, when you hear him debate in the Legislature, says that agriculture has been exempted because they are trained professionals who know how to put the proper amount of pesticides on food products, and therefore the exception is due. There are, however, as my colleague from Carleton—Mississippi Mills said, similarly, professionals who apply pesticides in urban areas. If it's a matter of application, if the minister believes that people who apply pesticides should be licensed, then why have a different set of rules for one sector than the other? Wouldn't it be better to have a regime of licensed professionals who know proper use, if application problems are the result of this bill?

Similarly, as my constituent Lavinia had talked about, the application in golf courses—in her letter, she objects to golf courses being exempted. One would wonder why there would be one set of rules for golf courses and an entirely different set of rules for what would resemble a golf course: a park across the street. It does seem that



they made decisions based on a bit more politics than actual science behind a determination of what kind of exemptions should be allowed or not.

My colleague from Dufferin–Caledon put it rightly: Let's have some public hearings. Let's see what people have to say. Let's make sure we look at all of the different sectors or individuals that use pesticides, and then we could bring forward proper amendments to this bill.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

Mr. Gerretsen has moved second reading of Bill 64. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour, say "aye."

All those opposed, say "nay."

I believe the ayes have it. The motion is carried.

*Second reading agreed to.*

**The Acting Speaker (Ms. Andrea Horwath):** Shall the bill be sent for third reading?

**Mr. Kevin Daniel Flynn:** I'd ask that the bill be referred to the Standing Committee on Social Policy.

**The Acting Speaker (Ms. Andrea Horwath):** So ordered.

**Hon. Michael Bryant:** I move that the House adjourn.

**The Acting Speaker (Ms. Andrea Horwath):** The government House leader has moved adjournment of the House. Is it the pleasure of the House that the motion carry? The motion is carried.

*The House adjourned at 1355.*

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**Legislative Assembly  
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First Session, 39<sup>th</sup> Parliament

**Assemblée législative  
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**Journal  
des débats  
(Hansard)**

**Tuesday 3 June 2008**

**Mardi 3 juin 2008**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 3 June 2008

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 3 juin 2008

*The House met at 0900.  
Prayers.*

### ORDERS OF THE DAY

#### ORDER OF BUSINESS

**Hon. David Caplan:** On a point of order, Mr. Speaker: I believe we have unanimous consent to put forward a motion regarding division of time for debate on government motion 60.

**The Speaker (Hon. Steve Peters):** Mr. Caplan seeks unanimous consent for debate on government notice of motion 60. Agreed? Agreed.

**Hon. David Caplan:** Thank you. I move that the time available until 10:45 a.m. this morning be divided equally among the recognized parties for debate on government motion 60, following which the Speaker shall put every question necessary to dispose of the motion without further debate or amendment.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House the motion carry? Carried.

*Agreed to.*

#### PERSONAL HEALTH INFORMATION PROTECTION

#### PROTECTION DES RENSEIGNEMENTS PERSONNELS SUR LA SANTÉ

**Hon. John Wilkinson:** I move that pursuant to subsection 75(a) of the Personal Health Information Protection Act, 2004, the Standing Committee on Social Policy be authorized to review the act; and that, pursuant to subsection 75(b) of the act, the committee shall report to the House its opinions, observations and recommendations concerning amendments to the Personal Health Information Protection Act, 2004, no later than one year following the assignment of this order of reference to the committee.

**The Speaker (Hon. Steve Peters):** Further debate?

**Ms. Laurel C. Broten:** I'm pleased to rise and speak in support of this important legislation and the fact that it is important that we see this Personal Health Information Protection Act move forward to be examined by committee, so that we can make sure that in a world of information, data collection and new technology, as things are constantly changing and improving and innovating, we

have an opportunity to make sure that our legislation, which was introduced in 2004 and came into effect in 2004—and at the time really set a gold standard in terms of making sure health information was protected and that Ontarians had access to their health information—it's absolutely critical that we make sure that we continue to have the gold standard in Ontario.

I'm going to take a few minutes this morning and let Ontarians have a bit of an understanding of the process that's taking place. As the minister indicated, this is a motion pursuant to subsection 75(a) of the Personal Health Information Protection Act, or PHIPA, as we call it, for this piece of legislation to go to the Standing Committee on Social Policy so that they can review it and provide a report to this Legislature with their observations and recommendations determining how PHIPA might be amended in any way.

We were really pleased to deliver this information in 2004, and we have made sure, by way of this legislation, that rules are established for the collection, use and disclosure of personal health information by health information custodians. Health information custodians would include doctors, laboratories, long-term-care homes and hospitals. This legislation also provided Ontarians with the legislated right to request access to and correct their health records of personal health information. It set rules that health information custodians needed to follow, including ensuring that personal health information was protected against unauthorized use or disclosure, informing an individual if their personal health information has been lost, stolen or accessed by unauthorized persons. Those are really critical things.

When we think about what has transpired over the last number of years as to how we collect and maintain data and information, we think back to many years ago where your doctor's office had their records in a file cabinet locked with keys and, as somebody who practised in the legal profession, I was certainly very knowledgeable about the fact that every cabinet needed to be locked at night, because we were very paper-driven. As we move to a more information and database and computer regime, frankly there are issues, because a document that used to be locked away in a cabinet might now be accessible on a hard drive or could be e-mailed to somebody, firewalls can be broken down, so it is really critical that as we modernize society, we modernize the way we protect and maintain health records.

Under the act, the Information and Privacy Commissioner, who is currently Ann Cavoukian, is responsible



for overseeing compliance with the legislation. Under the act, the Information and Privacy Commissioner has the authority to investigate complaints, undertake a review on her own initiative and has order-making power to ensure that health information custodians take steps towards complying with the rules set out in the act. So that really ensures that the act has a great deal of teeth when you have someone as prominent and well known in her ability to protect information as Dr. Ann Cavoukian as the Information and Privacy Commissioner, that they have the ability to make sure that that information is well protected.

I want to share with this House that the act has really been widely regarded as a success since its passing in 2004. Some watching may know that the federal government passed a bill called the Personal Information Protection and Electronic Documents Act, or PIPEDA, as that one is called. In 2005, PHIPA was declared substantially similar to that federal legislation, and so becoming the only privacy legislation in Canada to receive the designation, making Ontario's health sector exempt from the federal policy because the Ontario policy provided as much or substantially similar protection. PHIPA has served as the model for health privacy legislation in other jurisdictions in Canada, including very recently in Newfoundland, and the Information and Privacy Commissioner recently wrote to the New York Times that they should consider PHIPA as an excellent model for protecting medical privacy.

0910

The review that we are proposing by way of this motion arises directly from the foundation, the early drafting and the early passing of PHIPA. It was contained in there that we needed to have a review, and irrespective of this great success, PHIPA contains a requirement that it be reviewed by a legislative committee. As I said from the outset, I think that's a really important thing, because it's critical that we circle back with those whose information we are trying to protect, with those custodians of the information, to see if there are ways that things could be done better. Is it working? Is the legislation able to continue to provide that important protection of critical health information and allow those of us who need access to that information, to our own health records, to get those changed if there is information that is wrong? We need to make sure that it is accessible, modern and able to modernize itself with the times.

The review is set out so that it needs to be timely. It will take place within a year. The sharing, storage and use of personal health information is evolving and, as I said, it will continue to evolve as we move forward in this government with the important initiative of e-health records.

When I talk to my constituents in my home community in Etobicoke-Lakeshore, I have an opportunity to talk to people about things that are important to them: making sure that our health care system continues to be modern, continues to change with the times, and that we have

access to critical information, because information is essentially the key to success.

We know that if a doctor has all the information about the patient, we'll make sure that that patient does not have contraindications in prescriptions, for example. If the pharmacist has that information and if all the various health care providers are able to coordinate, if we move to the continued development of a time where we have health records that are available electronically, that will provide patients across Ontario with an incredible amount of power to look after themselves, to maintain those records and to be knowledgeable about their own health experience, their own health history, and to make sure that that information is accessible and available.

I know that we look to the modernizing of health records, yet we still have some of our old ways of doing things. I recently had to take my sons, Zachary and Ryan, in for immunization. As you are trying to get out to the doctor's office, as you can imagine, with two-and-a-half-year-old twins, it's a little bit of a commotion to get out of the house. "Where are those yellow papers? Where are those immunization records that I need to bring back to the doctor's office?" Wouldn't it be great if we had that information available? It is available electronically in our doctor's office, no doubt, but when we move to the system where it is there, you will have access to it. You can do your banking online now. You apply for a mortgage. You can do all sorts of things. Let's move to that system.

That's what Ontarians are asking, but making sure that PHIPA continues to be a very protective piece of legislation is absolutely critical as we move forward with the modernization of our health records system, because if we don't have adequate procedures in place, we will potentially have critical and important information that will go astray, that will get in the wrong hands and that will get out to someone who should not have it.

I know that we can all turn our minds to a couple of examples about why you would not want your health information available broadly. First of all, it's personal. This is exactly what this is about: personal health information. And that personal health information is yours to disclose to whom you want. Perhaps you have a history of an illness in your family, you've had some tests done for that and you got back whatever answer, yes or no, whether you were predisposed to have that illness. You don't necessarily want all sorts of others who are not to be privy to that personal health information to have it. That's why this legislation is very critical.

Personal health legislation needs to consider changes in the way health care is also being delivered and the way health information is being managed. We know there are very modern, new technologies happening in our hospitals right across this province and we're proud as a government to be leading the way and ensuring that that takes place.

In my own hospital in Etobicoke-Lakeshore, Trillium Health Centre, we now have a process where doctors, nurses, PSWs and others communicate by way of BlackBerry. They are able to have an immediate exchange: "I



am at patient X's bed. This is the circumstance. What do you think?" It's much more efficient, and there are instantaneous answers given back to the health care providers so that they are able to give the immediate transition and medication necessary for the best care of that patient. At its heart, every step that our government is taking is to ensure that we provide the best health care for Ontarians. We do that by putting Ontarians first, putting our patients first, at the centre of everything that we do. That is also the focus of PHIPA. The protection of personal health information puts our patients first and our Ontario citizens first, at the heart and centre of a system that is critically important to their quality of life here in Ontario.

Personal health information, as I said, needs to modernize and perhaps change in the way we do things. The use of new technologies such as patient portals allow patients to interact with their doctors online, view lab test results and request appointments. That's starting to take place in the province, and it is of critical importance that information is protected. But wouldn't it be convenient if you had a lab result done and you could have an opportunity to see that? It's efficient for our patients, who don't need to take time away from work, who can have access to their information, as they would, for example, to review their stock portfolio. Why should they not be able to review those health records and have communications with the doctor professional whom they're interacting with, as they do with many of the other professionals in their life? But at the same time, this health information needs to be protected.

A growing number of health care registries are developing. That information also is critical and needs to be safeguarded. The use of databases and information for research and health system planning—those are all mechanisms by which your personal health information is made available, is put on a document on a computer network. We need to make sure that that is being protected.

The legislative committee review would listen to patients and stakeholders and provide advice to the Ministry of Health on how the legislation should evolve so Ontario can continue to be a leader in protecting personal health information. I think today, as we debate this motion, is a really great day, because it demonstrates the ability of this place to keep up with the times. I would suggest that sometimes our constituents might argue that here in the Legislature we don't keep up with the times and it isn't a very modern way of doing business. We sought to remedy some of that this session and modernize the way we do business here in the Legislature. This is a modern time to be speaking. According to my watch, it's about 16 minutes after 9. It is very different for us to be here in the morning, and I think it's great, much more in keeping with when our constituents are up and at it, getting their kids off to daycare, getting their kids to school, then getting into the office and conducting the business of the people. That's what we're doing here.

This motion is about making sure that legislation that we put in in 2004, which was leading-edge at the time, has a mechanism built right into the legislation to make sure that we stay leading-edge, that if someone has a good idea somewhere else in the world or a new technology develops that we didn't think about and we need a new way to ensure the protection of that personal information, we are able to do that.

I think it's a very great day in the Legislature. I look forward to seeing this motion pass very quickly so that we can get PHIPA off to committee and the committee can examine whether or not we need to make any amendments in accordance with new technology.

**0920**

We've come a long way. We know there's much more to do. The area of electronic health records and the modernization of the health system to use new technology is one that we are very focused on. We're very pleased with respect to a number of the initiatives that we've been able to move forward with since taking office this mandate and the last mandate. We've made sure to look around the world and ensure that we have excellent health care being provided closer to home for Ontarians, that they have access to their health care professionals, and made sure that we protect their personal health information while at the same time ensuring that we are nimble and able to modernize the way we do the business of health for people in this province. Because it is all about putting our patients first and making sure that their information is accessible to them, that their records are protected. Ultimately, that will make for better patient care, a better health system and a sustainable and modern health system for generations to come.

I'm pleased to have had an opportunity to speak to this motion. I will be sharing my time with two of my other colleagues: the member from Etobicoke North, and the member from Mississauga—Streetsville, Mr. Delaney. I look forward to seeing this motion passed quickly and getting this to committee so we can continue to have the most modern legislation here in Ontario.

**M<sup>me</sup> France Gélinas:** I'm pleased to rise to talk about the health protection information act, more particularly the review of this act. We certainly welcome the initiative of a review of the Personal Health Information Protection Act. It should be noted that the review is long overdue. It actually should have been started a year ago, according to the act. But we're doing it now. So I'll agree with the member from Etobicoke—Lakeshore: Let's move on with it.

When Minister Smitherman introduced this bill, he basically said it delivers on the principle of accountability: accountability within the health care system for the services they provide and for the information that they're keepers of. This has to be with accountability to us, to the public, to the clients of those health care agencies. This step toward accountability is welcome, but it should be said that a number of other government actions are also needed toward accountability: to bring accountability to all of the parts of the health care system, to the clients, to



us, the public of Ontario, who use those services. The health protection information act is certainly one piece of it, but I would say there's still a lot to be done in that direction.

The act is an important and necessary act. Privacy legislation in Ontario was a long time in coming. Researchers told me that there were four bills during the Harris government that were actually submitted toward more accountability and protection of health information, but none of them could be agreed upon. Basically, the Personal Health Information Protection Act extends the federal privacy legislation, which did not, in our view, go far enough. It outlined serious and important responsibilities for health care providers and agencies dealing with the protection, disclosure and transfer of people's private health information. When you talk to people about health information, everybody will agree that this is something that they feel is very private to them, this is something that should be handled with care, should be protected—and they should know about it. When they sign a consent, it should be an informed consent so they know who will have access to that information and who won't have access to that information. Then it becomes the agency's and the provider's responsibility to make sure that those wishes and directions are followed according to the act.

The NDP supported the bill back in 2003-04, and we will continue to support its full and effective implementation. When the bill was first introduced we had some concerns. Most were addressed and changes were made to the bill to make it stronger. But one significant concern was not addressed. Our concern was about the financial cost of effectively implementing the bill. If you have a bill that the people, the providers, the agencies are not able to bring into effect, then you're not protecting anybody.

This concern was raised by the number of community-based agencies but mainly by mental health associations and mental health providers during the discussion about this bill. Many of those organizations were concerned that they lack the basic infrastructure, such things as computer systems, to meet their obligation to protect, to keep and, where appropriate, to share personal information.

We expressed concern that small agencies might find themselves in a serious position of unwittingly disclosing information due to the lack of resources necessary to comply with the bill. This is one illustration of why careful monitoring and review of the bill is very important, to see whether it is being implemented properly and how to better support organizations in its implementation in the future.

We, too, look forward to having a review of this bill. If there are agencies and providers in the field that are having a tough time, we should know what they are so we can take remedial action to make sure that the full intent of the act is being respected by everybody covered under the act.

Ontarians have reason to be concerned about whether their health information is being properly protected. The

NDP has regularly expressed concern about the lack of oversight and public accountability, specifically within our public hospitals. We have argued that Ombudsman oversight power should be extended to all hospitals, and the government has resisted. I don't understand why. The Ombudsman himself has said repeatedly that he should have the power to investigate complaints that have to do with hospitals. He receives hundreds of complaints every year about our hospitals, and unfortunately, he has to answer back that he hasn't got the power to investigate complaints coming from hospitals. When people have privacy complaints, there are steps to follow through the act, but other complaints should be under the mandate of the Ombudsman, and we would certainly hope that the minister will see that it is a big step toward accountability to give the Ombudsman oversight of what goes on in our hospitals so that he and his office can investigate complaints.

Protecting people's private personal health information is really protecting people's dignity, and yet almost daily we hear examples of practices in all sorts of health care agencies that really are an affront to the dignity of individuals. One need only read Joe Fiorito's column in the Sudbury Star in which he shares quite a few of the many stories of lack of human treatment in Ontario hospitals and other health care settings—a total lack of respect for their dignity. In part, this act is there to change this.

There are systemic issues within the health care system. I would see the shift toward interdisciplinary teams so that more people gain access to primary care. There are still hundreds of thousands of Ontarians right now who do not have access to primary care. They don't have a family physician. They don't have access to a community health centre or a nurse practitioner-led clinic. They just don't have access. Moving forward with interdisciplinary teams under the governance of communities would go a long way toward restoring the dignity of those people who are basically on the sidelines, who are looking out into our health care system, but not able to gain access.

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My colleague from Etobicoke-Lakeshore, across the House, talked quite a bit about the importance of adoption of electronic health records. I can tell you that at my community health centre, when we put into place all of the changes that were required to comply with the Personal Health Information Protection Act, a big part of it was dealing with our electronic health records. We wanted to make absolutely sure that whatever information we stored in the electronic health records was only available to the people it was intended to be available to; that when the client gives consent, they give consent to different providers for different information; and that all of this was properly captured by our electronic health records so that only the people who the client had given permission to could have access to that part of their chart, that part of their electronic health record.



I agree with her that having electronic health records throughout the health care system in Ontario would change forever a lot of what is happening on the ground with regard to the health care system. I agree with her that it would be very beneficial for people to have access to their records, to be able to review them and better understand and basically take ownership of their health and their treatment. It would also facilitate communications between the different health care providers so that they better understand what has been done in another agency, in another part of the health care system—if somebody has been hospitalized, exactly what happened; if they went to a lab, gaining access to their lab results. And the list goes on, whether it be a mental health agency or long-term care or home care etc. None of this is feasible in Ontario right now because very few have adopted an electronic health record although time after time many, including the Ontario Health Quality Council, have said this is the key to making our system better perform and also better protect the information, as this act is trying to do.

We also talk about the lack of adequate standards in long-term care and how this relates to lack of protection of human dignity. We've had many stories, most of them reported in the press, of family members who are really saddened by the type of treatment that they see their loved ones getting in long-term-care facilities. We have been asking for an average 3.5 hours of hands-on care for everybody in long-term-care settings. The acuity of the people in our long-term-care homes is such that they deserve and need a minimum average of 3.5 hours. Yet the government is very slow to move on this, which means that here again the human dignity of those people, the founders of this province, the people who have built what we have today, is not being respected. This is something shameful and this is something that has to change.

Understaffing in community home care is another one. Home care tends to be the poor cousin, where the working conditions are not good, the benefits are not good, the wages are not as good, yet those are the same providers; a nurse is a nurse no matter if he or she works in a hospital setting, in home care, in long-term care or in community-based care, yet a nurse can get way better wages and benefits if she works in a hospital setting than if she works in home care.

People will tell you that here again lots of the problems that we see within our emergency rooms, problems that we see within our hospitals are because of the weakness of our home care system. If we did a better job at maintaining people in their homes, that would go a long way towards preventing those people running into problems, having to access emergency rooms and ending up in a hospital bed where they are labelled as "alternative level of care." They are in a hospital but that's not where they should be, and that's not where the best care is for them.

At the base of it all is that if you ask, most of those people will tell you, "I want to stay home, but to stay

home I need the proper support." Here again the basic dignity of those people is not being respected. We're not supporting them in their homes the way we should. They end up with problems, they end up in emergency rooms and they end up in a hospital bed—not the way the system should work, and again a lack of dignity to those people who needed us.

Yes, we need to treat people's information carefully and professionally. But we also need to ensure that people are treated justly and caringly.

In summary, we look forward to seeing the results of a comprehensive review of this act. We hope very much that the report will be released within one year, something that is even more important, given that the review is so late in being started in the first place. We also hope that this will be the first step to a general improvement of monitoring and accountability of health care facilities, not just to ensure proper control of information, but proper and dignified treatment of people themselves.

Il me fait plaisir ce matin de vous parler de la Loi sur la protection des renseignements personnels sur la santé. Selon la loi, nous devons faire une revue de cette loi. Cette revue devait être entreprise l'année dernière. Malheureusement, on est pas mal en retard, et on la commence cette année, mais mieux vaut tard que jamais.

La revue de la Loi sur la protection des renseignements personnels sur la santé va nous permettre de nous assurer que toutes les agences et ceux qui ont la responsabilité de garantir l'accès à l'information ont les ressources nécessaires pour le faire et ont été capables de le faire d'une façon efficace dans toutes les parties du système. Lorsque la loi a été proposée, nous, les néo-démocrates, avons proposé plusieurs changements, et le gouvernement a écouté et a adopté la plupart des ces changements-là.

Par contre, il y a quand même une partie qui nous laisse un peu perplexe : est-ce que toutes les agences, surtout les petites agences, et ici je parle surtout des petites agences de soins de santé mentale, ont les ressources nécessaires pour être sûrs qu'elles sont conformes à la loi ? Plusieurs de ces petites agences nous disent qu'elles n'ont même pas l'infrastructure nécessaire—ici on parle d'ordinateurs et de choses comme ça—pour s'assurer que l'information est gardée de façon sécuritaire.

On peut lire dans les journaux plusieurs fois des exemples où des personnes n'ont pas été traitées avec dignité dans notre système de santé. On parle ici des foyers de soins de longue durée, dans les hôpitaux. Plusieurs de ces histoires font les manchettes des journaux.

Quand on parle de protection des renseignements personnels sur la santé, on parle également de protection de la dignité humaine. Nos renseignements personnels sur notre santé, ce n'est pas des choses qu'on veut partager avec tous et chacun. C'est des choses pour lesquelles on doit être capable de dire, « Cette information-là, je suis d'accord de la partager avec tel et tel professionnel, mais je ne veux la partager avec d'autres. »



Ça, c'est notre droit absolu. Ça, c'est ce que la loi nous permet de faire. Mais dans la vie quotidienne de ceux qui offrent ce type de protection, ils doivent avoir les ressources nécessaires pour le faire. On parle ici non seulement de protection des droits, mais on parle également de protection de notre dignité humaine.

En revenant aux histoires qui se retrouvent souvent dans les manchettes, j'aimerais mettre l'accent plus précisément sur les organismes de soins de longue durée. Les maisons de soins de longue durée ont demandé depuis longtemps au gouvernement provincial de recevoir un minimum de 3,5 heures de soins personnels par bénéficiaire. Malheureusement, on est encore loin de là, bien que le niveau de besoins des gens dans les maisons de soins infirmiers continue d'augmenter.

Il y a quelques années de ça, on n'aurait jamais pensé que quelqu'un qui recevait de l'oxygène se retrouverait dans une maison de soins de longue durée. Avant, ces gens-là devaient demeurer à l'hôpital. Maintenant, on en voit de façon courante. Même chose avec des gens qui ont des problèmes d'alimentation : avant ça, ces gens-là devaient demeurer à l'hôpital. Maintenant, on en voit de plus en plus dans les maisons de soins infirmiers, et c'est un pas dans la bonne direction.

Ces maisons-là sont faites justement pour essayer d'être des maisons. C'est une résidence. Donc, c'est quelque chose de bien, mais il faut quand même être en mesure d'avoir les ressources nécessaires pour venir à bout de rencontrer les besoins toujours croissants de ces gens-là. Ça, c'est pour protéger la dignité autant de ce qu'on essaie de faire avec notre projet de loi.

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Un autre aspect que l'on aimerait voir augmenter, c'est les pratiques interdisciplinaires. En ce moment en Ontario, il y a des centaines de milliers d'Ontariens et d'Ontariennes qui n'ont pas accès au soins de santé, qui n'ont ni médecin de famille, ni accès à un centre de santé communautaire, ni accès à une clinique d'infirmières praticiennes. Parce qu'ils n'ont pas accès, ils sont à l'extérieur, et vraiment nous regardent de l'intérieur. Ça pourrait changer, et ça pourrait changer vite, en mettant en place des équipes interdisciplinaires qui sont gouvernées par la communauté pour s'assurer que dans les petites communautés, qu'elles soient rurales ou du nord, où il y a souvent un problème de pénurie, si le médecin vient puis repart, le centre, lui, qui est gouverné par la communauté, demeurerait là pour s'assurer que ces gens-là continuent d'avoir accès : continuent d'avoir accès à leur dossier médical, continuent d'avoir accès aux autres pourvoyeurs de soins de santé pendant que le recrutement continue.

On parle également d'avoir un mécanisme pour investiguer les plaintes, et là, on parle de l'ombudsman. Ici en Ontario, l'ombudsman demande le pouvoir d'investiguer les plaintes dans les hôpitaux depuis longtemps. Nous, les néo-démocrates, on le demande au ministre de la Santé depuis des mois. Je pense qu'il n'y a pas une semaine que je ne me lève pas à la Chambre pour demander au ministre de la Santé d'accorder à l'om-

budsman le droit d'investiguer les plaintes dans les hôpitaux. Malheureusement, pour une raison ou une autre, le gouvernement refuse.

Bien que l'ombudsman ne puisse pas investiguer les plaintes, il reçoit quand même des centaines de plaintes à chaque année envers les hôpitaux. Malheureusement, tout ce qu'il peut répondre, c'est qu'il n'a pas juridiction. Ça aussi amènerait le système de santé un pas plus loin, et il serait important que ce soit mis en place.

En somme, nous, les néo-démocrates, appuyons la revue de la Loi sur la protection des renseignements personnels en matière de santé. On pense que c'est une loi importante. Les agences de santé ont travaillé fort afin de la mettre en place et de s'assurer que toutes les parties de la loi étaient respectées parce que c'est quelque chose de bien pour nous, les consommateurs, les clients, pour ceux qui vont demander des services de santé. Mais une revue est importante pour s'assurer que toutes les parties du système ont été capables de la mettre en œuvre et ont des ressources nécessaires afin de la mettre en œuvre de façon cohésive et cohérente. Donc, pour nous, la revue de cette loi servira à s'assurer qu'elle est bien en place, mais à s'assurer également un pas de plus envers le respect de la dignité des gens qui ont besoin du système.

**Mr. Shafiq Qaadri:** I think it's very important that we, as a Legislature as well as the government, move forward on this very important motion on the Personal Health Information Protection Act and improvements that will no doubt occur subsequent to its passage, as well as review.

The idea of information privacy is of course one that physicians are taught very early in medical school, as custodians, as stewards of what is no doubt the most personal, significant and impactful information there is about individuals—way beyond, by the way, credit cards, social insurance numbers, alarm code keys or whatever—information that deals with individuals and their personal health. By the way, Speaker, as all of us mourn, as you know, the loss of one of our chief medical officers of health, Dr. Sheela Basrur, all of this really underlines the fact of how important and personally significant this type of information is.

This has been true through the ages, and certainly when we were going to medical school about 20-plus years ago, but I think it's even more accented and highlighted now that we are truly in the information age.

I'll give you some personal examples. A patient who comes to a medical office, to a family physician, will no doubt share with them all sorts of information about their personal background, about their genetic history, about family problems, be they genetic or social. For example, are there conditions of things like alcoholism or depression or Alzheimer's within the family? Then the family physician will, hopefully, do an excellent physical examination, probing and prodding and measuring and essentially cataloguing all the various findings from top to bottom. Then the patient will be asked to undergo a number of tests, whether it is with regard to blood or any kind of radiology imaging—for example, ultrasounds or what



we call upper GI series. We really want to have a look at the insides as best we can.

Then comes the small matter of the results that we have to share with the patient. Of course, there is a certain amount of finesse, sensitivity, humanity and regard for a fellow human being who is, no doubt, at their most vulnerable. All of that information can literally make or break the person's day, the person's year and the person's life. That sort of information, whether it is shared with the individual alone—there are people we will be diagnosed with very significant conditions, be it cancer or HIV or chronic hepatitis B or any number of conditions, and very often they do not want that kind of information disseminated to the public, but perhaps even to members of their own family or their own circle. Of course, there is legislation that governs those kinds of rules as well.

Altogether, these are very significant pieces of information. Therefore I think it's only appropriate that, as a provincial Legislature that has oversight for health care, we bring to bear our collective wisdom and initiatives and stakeholder consultations to make sure that we have the best legislative framework we can—the rules that govern this particular domain.

One of the privileges but also challenges of being a family physician is that you will actually have multiple generations of the same family. I've had even four generations of the same family: the great-grandparents, grandparents, parents and the kids. When you discover particular conditions or if, let's say, a teenage girl wants to come in and access various forms of medication, sometimes other members of the family will actually ask and try to intrude into the discussion. Again, there are very specific rules—and they're age-based, of course, in terms of age of consent—that govern all family physicians' conduct in these matters.

It goes beyond just the idea of conduct in an office setting, though. There are rules that actually talk about the protection of this information, be it the digital version or the hard copy version, for years and years after that patient encounter. I think there are probably a number of reasons why that information is kept available or made available. For example, perhaps subsequent to the physician encounter, maybe two or three years hence, there may be an issue—whether it's medical or legal or maybe the individual is now up for kidney transplantation or heart transplantation or blood transfusion or any other number of scenarios—and there may be the necessity for actual review of those particular medical records. So there is very specific legislation in place that actually governs how those records are kept even decades after that initial patient encounter.

The other thing that's very interesting is that patients who will be diagnosed with things like elements of the cardiometabolic syndrome, basically the evils of obesity—none of my colleagues or members need think that I'm speaking of them specifically, although they often come and talk to me afterward. Elements of the cardiometabolic syndrome show elevated sugars, cholesterol,

blood pressure, waist circumference and so on. They will often say, "Doc, please don't release this information to anybody, or if my insurance company calls"—or if this office or that office or an employer or anyone else calls.

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Of course, what's always interesting and amusing is that we have to reassure the patient that until they allow us, with a signature on a specific form that essentially allows to us release that information, not even the Prime Minister of Canada, the Premier of the province, or even your own esteemed office, Speaker, can ask for that information without actual written consent. That is part of the law of Ontario, and of course other jurisdictions in this country, to protect the privacy of this very personal and deeply impactful medical information.

I say that to you as part of the larger context under which the medical information flows. But now I speak to you about the digital age, because all of those pieces of information that I was mentioning—whether it is lab tests; the results of radiology exams; pap smears; HIV testing; VD testing or any number of other tests; or, for example, the patient's own patient record, meaning the encounter with the patient, whether it's by the way of a psychiatric nature or a depressive nature—all of these things are now going digital. This, of course, is not only increasing the flow of information, but the traffic and the points of intersection and the areas of flow are now literally increasing exponentially.

Very often, for example, some of us are signed up to alerts that are sent to us by e-mail. Let's say there's a patient who comes in and we're vaguely dealing with the condition of some kind of chest pain. We send the patient off for an electrocardiogram and cholesterol tests. We try to match their risk in terms of their overall picture. As family doctors, we have no doubt been watching them, tracking them and following them for years on end, and something is going on, some vague kind of chest pain. Some of us are actually now signed up to e-mail alerts where the laboratory in question will send us directly, or possibly fax us directly, and/or all of the above, that there are some conditions that are very important and need to be acted on on an immediate basis.

That, of course, opens up a whole opportunity, unfortunately, for missed calls, misinformation, disinformation and the incorrect spread of that information. For example, some physicians will inevitably receive information about patients who are not their own. Sometimes it comes because you happen to be in the same building. Sometime it comes because perhaps your e-mail happens to mimic others. All of these issues are now in play and are amplified and accentuated because of the digital age in which we live.

It's extremely important that we talk about, as I say, this very deeply impactful personal information, as well as the whole area, which is a major discipline in and of itself: the idea of patient confidentiality; the consent that is required for a physician to actually release, use, redirect that information; the very personal and intense rules that govern physicians' custodial responsibility or



stewardship of these records, whether it is access requests from individuals, other members of the family, other institutions, insurers and employers; and, of course, the overlay that is now so important because of the digital age that we are now in. That's why, as Minister Bryant and others have talked about, it's extremely important for us to move forward, not only with this motion but also the review that it will eventually lead to.

Having said that, I think it's important for us to review the fact that the Personal Health Information Protection Act, 2004, was actually regarded as a model and really understood, incorporated and responded to, and talked to the idea that the management of health care information is of course changing, evolving, self-regulating and self-upgrading.

Part of what this motion speaks to is the idea that a legislative committee will actually allow us to consult with patients and stakeholders. And no doubt, as part of that consultation, we're going to have a relatively healthy dose of consultation with digital software providers, because time and time again we hear in the press and in the newspaper and elsewhere the idea not only of the sanctity of digital information but unfortunately the opposite: how it seems to be relatively easy to make off with it, to actually steal it, whether it's personal information, banking information or even the whole idea of identity theft.

This particular privacy act came into force, as you'll recall, on November 1, 2004, and has some fairly intense specifications for the rules, the usage and the ability to redirect and disclose personal health information by terms that need to be specified and amplified: "health information custodians," which of course include doctors, laboratories, long-term-care homes and hospitals.

I'll give you an example. I had the opportunity recently of chairing a medical conference on a new domain that is just becoming better and better appreciated in Ontario. It talked about cardiovascular disease, or heart and blood vessel disease, that is now unfortunately exploding. It now, by the way, accounts for something in the order of 40% of all the deaths in Canada. But one of the spins or skews or nuances that we're learning is that one of the risk factors, along with the usual suspects of blood pressure, smoking and obesity, happens to be one's ethnocultural background. The Heart and Stroke Foundation has actually just allocated fairly significant resources to go after the health information on some of these areas for specific communities—for example, aboriginals, the Chinese population, the black population and South Asians.

I just say that to you in terms of the background, but what was extremely interesting is that one of our American colleagues, a physician, came back and said, "Listen, if there is a higher risk of cardiovascular heart and stroke disease in these particular populations"—and of course, God bless America, it's kind of an American question—"do we really want to tell anybody? Do we want to disclose this information?" Because from the American perspective, he was talking about a person's

insurability, a person's ability to actually get health coverage. Of course, that's an entirely different kind of debate. In America, it seems they were interested in perhaps the opposite—once again, God bless America—in terms of the suppression, shall we say, or the very specific targeted use of this kind of health care information.

In any case, all of these various issues, whether it is the extraordinary exponential flow that we now see on a day-to-day basis of information in the digital age, the very important regulations that we have been brought up on and are still living on and that still resonate in our medical offices with regard to privacy and patient confidentiality or the release of documentation, be it in the public domain, the private domain, electronically by fax and so on, I would say the deeper responsibility that we have as a Legislature is to make sure that the stewardship of this information accounts for all of these different issues and struggles and initiatives and challenges.

With that, I would urge members of this House to support this particular motion that was brought forward by our government so that we can offer best practices on the personal health information protection domain.

**Mrs. Elizabeth Witmer:** I'm going to share some words on behalf of our party regarding this motion dealing with the Personal Health Information Protection Act, 2004, which is going to be reviewed, in this motion, by the Standing Committee on Social Policy. That committee, once this motion is passed, will have the opportunity to report back to the House its opinions, observations and recommendations concerning amendments to this 2004 act.

**1000**

I think it's already been mentioned that this review is necessary and it is, as has already been mentioned, overdue. It deals with the protection of personal, private health information. We have heard this morning repeatedly that people obviously want and require that their personal health information be protected at all costs. Certainly, the government in the province of Ontario has an obligation to make sure that happens.

This particular legislation dealing with the protection of personal health information—we have been trying to draft legislation since about the year 2000 and we are now at a point where we have legislation and we need to review the legislation. I don't anticipate that this review is going to result in a major overhaul of the act, but I think what this review will enable us to do is to ensure that the legislation is effective as we move towards the establishment of a province-wide e-health system. I guess that's what we are looking forward to.

That is a priority. Unfortunately, it is a priority that we have not yet seen the realization of in this province. But certainly coming out of this review, if not before, this government must—and I stress the word "must" because this is what we're doing and why we're doing it—clearly communicate to the public, the Legislature and the committee information as to where we are going with electronic health records. Of course, when this electronic



health system is in place, we need to ensure that this legislation that we are reviewing is going to be adequate to maximize the potential of electronic health records. We need to ensure that the legislation we are reviewing is adequate to protect the private, personal health information of Ontarians. I guess that is the missing information that we still don't have. What progress is being made on electronic health records? We really need that information in order to do the review that we are undertaking, and I think that's really been the missing ingredient.

This government spent \$647 million on the Smart Systems for Health Agency between 2002 and 2008. This is a considerable amount of money, and we still don't know when people in this province can expect a full electronic health system that will give every person in the province a health record that all authorized health care workers can access. We do not have any final decisions on timelines or announcements on timelines for the full implementation of the electronic health record. Regrettably, if we don't have that information, this review will not do all that is necessary, and that is ensuring that it's going to adequately protect the information in preparation for the full implementation of electronic health records.

Deloitte did a review of the Smart Systems for Health Agency in 2006, and regrettably that review indicated that despite the fact that this government has spent millions of taxpayers' dollars, there was still no strategic direction and the government didn't seem to be accountable for any of the spending and really had nothing to show for it. In fact, the report found that "significant questions exist relating to the effectiveness of certain decisions and the value obtained from significant investments." The report called for "an aggressive agency turnaround plan."

This electronic health record, which still has no timelines or goals, would help us to bridge physical distances, it would help us to penetrate the silos, it would allow for unprecedented communication amongst health care providers, and it would have tremendous benefit to patients. They'd be more informed. There would be the whole issue of safety. It would allow them to move also in a seamless transition along a continuum of care. It would mean that no matter where you travel in this great province, if you become ill and require any services at any emergency ward, that ward will have all the information that pertains to your personal health history. That would save us tremendous costs because we wouldn't have to repeat tests, but, more importantly, it would ensure that all of the health care providers in this province who are entitled to your information have it available when it comes to your treatment. Regrettably, we don't know when that electronic health record is going to be available for people in Ontario because we've not seen any timelines and we don't know what the goals are. In fact, we don't see any announcements of timelines.

In 2007, the Ontario Information and Privacy Commissioner, Ann Cavoukian, confirmed what I have just

said, and that was that Ontario is far behind other provinces when it comes to implementing electronic health records. According to Canada Health Infoway, Ontario lags far behind other jurisdictions such as, for example, Alberta, British Columbia and, on the east coast, PEI, regarding the implementation and adoption of electronic health records. If we take a look at Alberta, they have an electronic health record system in place, and they hope to have all people in that province on the record by the end of 2008. We don't have any timelines at all. If we take a look at British Columbia, they intend to build the infrastructure they need to develop a province-wide electronic system by 2009.

I think we can see that in Ontario, unfortunately, the health system is falling behind. We see this when it comes to doctors and the growing doctor shortage, and the fact that in 2005, we saw doctors leaving this province for the first time ever, really. In 2007, the number of doctors leaving this province to go to other provinces had tripled. We've seen the government's lack of action on C. difficile. We've seen that they failed to introduce the PET scanner, a new piece of diagnostic equipment which is available in provinces such as Alberta and British Columbia.

This province, when it comes to health, is falling behind. We're increasingly seeing gaps in our health care system. We know that the poll that was taken by SES just before the end of last year indicated that over 60% of the people in this province weren't seeing any improvements to the health system. If we talk about e-health, in April 2007, Tony Fell, who was chairman of RBC Capital Markets, resigned from the Toronto Central LHIN because, as he said, he was "extremely disappointed with the low priority that had been accorded by the Liberal government to e-health." According to Fell, "An advanced e-health system could save many billions of dollars annually while, at the same time, providing vastly improved service and care to our citizens and a major reduction in medical errors." That was April 19, 2007, in the Toronto Star.

#### 1010

In 2008, the Ontario Hospital Association also reported that, "The evolution of e-health in Ontario has been hindered by the absence of a health system funding approach that recognizes e-health as a strategic investment priority." The OHA believes that "the current funding environment does not effectively support the adoption, collaboration and integration necessary to enable the timely realization of e-health's true value." According to the OHA report, "Improved availability, integration and communication of health care information will result in improved care for those with chronic diseases...." There are so many people in the province today—I want to deal with that a little later, about the impact of e-health on chronic disease.

They also said that if we had it, it would create "greater efficiency in interactions with patients, improved patient safety"—and, a very important fourth point—



“improved patient participation in their own health....” This is critical.

Currently, if you try accessing the e-health strategy, you aren’t going to get much except a phone directory.

Who else had something to say about the government’s inaction, lack of timelines or goals towards the e-health strategy? The quality council. The quality council was quite critical of the government regarding the lack of activity and, again, they came back to the fact that it would enable the ministry to focus on the prevention and the management of diabetes and other chronic diseases. Also, e-health investments would support the government’s diabetes strategy in the shorter term and form the foundation for the longer-term goal of creating electronic health records for all Ontarians.

In fact, when the Ontario Health Quality Council released their report recently, the council chairman, Ray Hession, said, “Ontario needs a province-wide electronic health records system to better monitor and treat patients with chronic disease.” They actually went on to say that nearly 8,000 lives in this province could be saved annually if the province did better testing, treating and monitoring of patients with such diseases as diabetes and heart disease. They indicated that currently, slightly less than half of those with diabetes have their blood sugar under control, while only 28% of patients with diabetes and high blood pressure have their blood pressure under control. As well, only one in three patients with coronary artery disease received all three drugs—Aspirin, beta-blockers and cholesterol-reducing medications—recommended to prevent their vessels from clogging.

We know what is necessary to deal with these chronic diseases. Electronic health records throughout the province would help us to better monitor and treat these patients. But Mr. Hession also said that the government has not released a plan with a budget and targets to “get us from where we are to where it’s widely accepted we ought to be. In the absence of that, it doesn’t matter what we say about when it’s going to happen,” he said.” If there are no such prerequisites in place, it won’t happen, and that is our concern.

Now, this is the Ontario Health Quality Council that was set up to look after what progress we are making, and in this instance they found there were failings in Ontario’s e-health system: that the government had no plan, had no timelines, and as a result, lives that could be saved were simply not being saved.

We have no idea how the government plans to achieve its targets; we just know that we haven’t seen any timelines. It is most regrettable that they are so slow when we know that this system could deliver better health care. I’ve just pointed out what actually could happen.

I’m going to conclude my remarks. I think we recognize that this review that we’re undertaking is necessary. It is overdue. It will give our stakeholders an opportunity to tell us about the effectiveness of the legislation and what improvements need to be made. But it will do so because we are moving forward, we hope, to the estab-

lishment of a province-wide e-health system. We just don’t know when that will happen.

Really, in the absence of that type of information, we probably aren’t going to do total justice in this review, because it’s going to be impossible to adequately ensure for what is ahead of us that we can adequately protect these electronic health records. At the end of the day, we need to have information about where we are with electronic health records, what are the timelines that the government has in place, when they are going to make announcements about the timelines, and what is their goal. Because without that information, we’ll never know whether this review of the legislation is going to adequately protect the privacy of Ontarians. We’ll support this, but we certainly hope that in the interim, the government comes forward with a plan of action for electronic health records.

**Mr. Bob Delaney:** I’m pleased to join the debate on a subject that I find very interesting, that is, the government’s notice of motion on PHIPA. Does the fact that a behaviour is permissible make it mandatory? And, indeed, does the existence of a technology or a capability mean that it must be either compulsory or forbidden? This is, I think, what this motion seeks to address. And while I’m not a lawyer and I don’t bring a legal mind into the considerations, I was trained in science and mathematics, so I can bring an opportunity to apply some logic.

If one looks at where this motion is taking us, Ontario, with its aging population, is going to be looking at roughly twice the number of seniors in the next generation that we have now. With the evolution of technology, we’re seeing the technology of connectivity and bandwidth expanding greatly, thus giving us the ability to look at data and health records in a manner in which, as we grew up, we couldn’t even imagine. Add to this the technological savvy of not merely doctors, but also their patients, and what we have is the ability to share health records in a manner in which we have never been able to do so before.

The sophistication and stability of networks, distributed storage and delivery platforms using such applications as the browser and Internet portals will mean that health information that heretofore existed in silos is going to be something that doctors and their patients can use to advance the standards of care. What this motion seeks to do is to bring together a body of knowledge and to position us not so much where we are now, but where we would like to be in 10 and 15 years, in which doctors and their patients can collaborate in ways that we’re only beginning to imagine now, and do so in a manner in which a doctor and his or her patients can collaboratively determine where they’re going in their treatment and how to share their diagnostics. I think this is a good, forward-looking motion that deserves the support of this Legislature.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

Mr. Wilkinson has moved government notice of motion number 60. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. I declare the motion carried.

*Agreed to.*

**Hon. David Caplan:** Mr. Speaker, I seek consent of the House to recess until 10:45 of the clock.

**The Acting Speaker (Mr. Ted Arnott):** Is there such consent? Agreed? Agreed. This House stands in recess until 10:45 a.m.

*The House recessed from 1022 to 1045.*

### INTRODUCTION OF VISITORS

**The Speaker (Hon. Steve Peters):** We have a number of guests we'd like to introduce this morning and welcome everyone to Queen's Park.

On behalf of the member from Beaches–East York: Carmen Carrasco, Cheryl Duggan, Ken MacLeod, Sharon McPherson, Chris Sartor, Nancy Van der Plaats, Kyle Vose and Mike Yale, in the west members' gallery.

On behalf of the member from Parkdale–High Park: Choesang Dhenub, Tsering Dolma, Jigdel Kuyee, Tenzin Nyendak. These are members of the Friends of Tibet, in the west members' gallery.

On behalf of the member from Lanark–Frontenac–Lennox and Addington, I'd like to welcome in the public gallery today members of the Ontario Landowners Association, visiting from approximately 30 counties.

On behalf of the member from Oakville, I'd like to welcome the guests of page Natalie LaMarche: her mother, Shaida Tabatabai; David LaMarche, her father; Mina Hunt, her aunt. They are in the members' east gallery.

On behalf of the member from Glengarry–Prescott–Russell: in the east members' gallery, Richard Lalonde, Jeanne Charlebois, Conrad Lamadeleine, Jean-Yves Lalonde, Gary Barton, Robert Kirby, Denis Pommerville, Ken Hill, Grant Crack and Stephane Parisien. These are guests visiting today from the member's riding, and it's Glengarry–Prescott–Russell day here today.

### MEMBER FOR GLENGARRY– PRESCOTT–RUSSELL

**The Speaker (Hon. Steve Peters):** I'd just like to take this opportunity as well: Today is a special anniversary for the member from Glengarry–Prescott–Russell. Today marks Jean-Marc Lalonde's 38th anniversary in public life. Let's acknowledge Jean-Marc and his contribution.

*Applause.*

## ORAL QUESTIONS

### AUTOMOTIVE INDUSTRY

**Mr. Jerry J. Ouellette:** My question is to the Premier. Premier, I could stand here today and blame your government for the impact on the auto sector over and over again, but it's not going to resolve one issue, and that's the issue of jobs and support for the number one industry in the province of Ontario. Premier, you've mentioned the plan that you have in supporting the auto sector and how it's going to ensure that we have jobs for future generations in the number one employer. Today's announcement at General Motors in Oshawa is only the beginning. We're going to see five or seven times the number of those announcements coming forward as the support industries for that particular industry announce their layoffs.

Premier, the plan isn't working. Do you have an alternative form or way to support the auto sector in the province of Ontario?

**Hon. Dalton McGuinty:** Let me first of all say that our hearts go out to the workers affected by today's announcement from GM. My friend opposite will know that GM has decided, because truck and SUV sales have plummeted by 40% in the last year alone, that they are closing plants: two in the US; one in Mexico, which is rather extraordinary; and one here in Ontario.

**1050**

We will do everything we can to lend support to those workers and those families. We understand that this is a particularly difficult time, but I'm also mindful of the advice I received from a worker recently in Windsor. When I said, "What can we do for you?" he said, "Keep fighting for the auto sector in Ontario." We intend to do exactly that.

**Mr. Jerry J. Ouellette:** Premier, certain sectors of the plan don't appear to be working. For example, the taxation of ethanol is one small method of deterring the sale of ethanol—which supports the E85, which is 85% ethanol—a method of deterring the sales of technology-leading advantages that General Motors and the other Big Three would have in the province of Ontario. Small things like that or just-in-time delivery service, with the cost of fuel, are not necessarily the way to go.

What I'd mentioned before in this Legislature was that we need alternative methods to support just-in-time delivery service such as having taxation for warehousing to make it more cost-effective, because bringing goods in from other jurisdictions may not be the way to go. We need to think outside the box and find alternative methods to support this. Do you have some other plan that we can look at and work on with you to make sure that the number one employer in the province of Ontario stays the number one employer?

**Hon. Dalton McGuinty:** I appreciate and do not doubt for a moment the sincerity of the offer coming from this particular member. But I can tell you, from day



to day, it's hard to know where the Conservative Party is coming from on this score. Their single, most important economic priority is that we cut taxes, corporate taxes in particular. I can tell you, in talking to GM right now, they're not paying corporate taxes because they're not making a profit. They were paying capital taxes until we eliminated capital taxes for them, and they voted against that. So it is difficult, from time to time, from day to day, from question period to question period, to know where they are coming from on this score.

I can say that we will continue to work with GM. Because we have invested together with them in their new Beacon project, which is a new flex plant, that means we are at the front of the line when it comes to landing a new car manufacturing investment in Ontario.

**Mr. Jerry J. Ouellette:** Premier, we've brought forward a number of alternatives. I've raised this issue in the Legislature on a number of occasions going back years. I have brought forward things such as the fuel-consumption tax as a method to reduce the taxation on some aspects, as a gesture to the auto sector, and particularly the truck plant in Oshawa, as one way of support.

In a previous government, one of the Premiers came forward with an all-party committee to address issues called the alternative fuel committee. Would you consider looking at an all-party committee on the auto sector and the number one employer on how we can move forward in making sure that it remains the number one employer in the province of Ontario?

**Hon. Dalton McGuinty:** We're pleased to give real consideration to this idea, but I must say that when we spoke with the auto manufacturers, they told us that their number one concern was capital taxes. They told us their second concern was business education taxes. We've also come to understand that, at the beginning of the 21st century, in a world where one of the states was prepared to put up \$1 billion to land a new key investment, we have got to be at the table.

I would prefer to be at the table together with a strong partner in the federal government, so that we can work together to further strengthen the auto sector in Ontario. But until that day comes, I'm more than prepared to work with my colleague opposite, to continue working with the CAW and to continue to work with our auto manufacturers to ensure that we have a bright and vibrant future for our auto sector in the province of Ontario.

#### INFECTIOUS DISEASE CONTROL

**Mrs. Elizabeth Witmer:** My question is to the Minister of Health, who has taken a very incredulous position on *C. difficile* and the crisis in recent weeks. Minister, you have known since at least 2004 about the threat of *C. difficile*, but you have not developed a plan nor have you revealed the numbers.

We learned that between October 2006 and September 2007, 14 patients at University Health Network in Toronto died from *C. difficile*. At Mount Sinai, between

April 2007 and March 2008, it contributed to three deaths.

Minister, we were able to get these numbers by simply contacting the hospitals. You can't continue to stonewall and say you don't have this information. I ask you: Will you release the *C. difficile* fatality figures today?

**Hon. George Smitherman:** As the honourable member would know, firstly—she talks about a crisis in the context of the last few weeks, and this is the difficulty with the approach by the honourable member, because maybe that's when she was first alerted to it, but the health care system has been working diligently on this issue for a long time. I've been in contact over the last few days, as an example, with some of the hospital CEOs, just to go through, step by step, the initiatives they've taken in their hospital environments. They've been grappling, struggling and working hard to address this challenge over several years.

On the matter of reporting, the honourable member knows that on September 30 we'll be implementing real-time reporting on *C. difficile* rates across the broad hospital platform in Ontario. That will be the first time that all that information is brought together in one place. I think that, under the leadership of Dr. Baker, this is going to dramatically enhance the amount of information that the public knows about patient safety circumstances in all of our hospitals.

**Mrs. Elizabeth Witmer:** The confidence in the health system in the province of Ontario has been badly shaken in recent weeks and months.

Today, we learn—in fact, the media just had a big story in the papers and on TV; I was watching—there are seven more *C. difficile* outbreaks at St. Michael's Hospital in Toronto and there are outbreaks at Stevenson hospital in Alliston.

Ontarians know what is happening, but you are not providing any comfort or consolation to them that you know what's going on and that you have a plan for their future. I ask you today, Minister: Will you develop a plan and will you let us know why you have failed the test of leadership these past four years?

**Hon. George Smitherman:** It's interesting to watch the honourable member, whose tenure as Minister of Health led to the dismissal of her government, talk about confidence and about leadership.

Ontarians know that the steps we've taken will dramatically enhance the amount of information that the public has with respect to a broad range of patient safety indicators.

We put out this release last week. I'll repeat it for the honourable member. On September 30, we'll have public reporting of *C. difficile*; on December 31, MRSA, VRE and hospital standardized mortality rates; and on April 30 of next year, rates of ventilator-associated pneumonia, rates of central line infections, rates of surgical site infections, and hand hygiene compliance.

Where the honourable member continues to miss the mark is that *C. difficile* has been well known as a struggle and a challenge in health care, and that's why



those who lead our health care organizations have been working to address it in each of the 157 hospitals across Ontario. This is not a crisis just of the last few weeks; this has been an ongoing challenge.

**Mrs. Elizabeth Witmer:** The minister has one thing right: This has been an ongoing challenge. Unfortunately, he has refused to assume any responsibility. As a former Minister of Health, I know that the buck stops and starts with the minister. He has been evading his responsibility and the need to be accountable to the people in the province.

When SARS broke out, our government acted quickly in order to restore confidence in the health system, and we had the support of leaders in this province.

Minister, when are you finally going to take responsibility for the fact and not blame the hospitals or the front-line workers but acknowledge that it was your inaction over the past four years that has shattered the confidence?

**Hon. George Smitherman:** It's a ridiculous assertion that the honourable member makes. The health care system, including me, the ministry, all of those 300,000 or 400,000 people who work in health care—we all bear responsibility for improved performance and enhancing patient safety in health care. I bear part of that responsibility, of course, but it's not appropriate for the honourable member to pretend that it's about a piece of paper from Queen's Park when it requires front-line battling every single day by those who lead health care organizations. The honourable member, as a former Minister of Health, knows that and she knows it very, very well.

The initiatives that we're taking, under the leadership of Dr. Baker, will provide for Ontarians a degree of transparency which will dramatically enhance the knowledge that they have about a wide variety of patient safety—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

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#### AUTOMOTIVE INDUSTRY

**Mr. Howard Hampton:** My question is for the Premier. Premier, this morning General Motors announced it is closing the truck plant in Oshawa, eliminating the final 1,000 jobs there. This comes after General Motors received a \$235-million cheque from the McGuinty government. The money is gone, and because there were no job guarantees, there will be 2,500 fewer jobs at the Oshawa truck plant than existed before you handed over the money. Can the Premier explain why the McGuinty government gave General Motors \$235 million without getting job guarantees from General Motors in return?

**Hon. Dalton McGuinty:** First, I want to take the opportunity once again to acknowledge the tremendous contribution that the auto worker makes to the Ontario economy.

One of the things that the GM executives told me when I was briefed on this issue this past Sunday was that we continue to excel when it comes to quality and productivity, which is all about how quickly we can produce that quality.

I also want to take this opportunity to commend the CAW for the recent agreements it has entered into with some of our auto manufacturers and for the concessions they have made, which have been very realistic in a very trying time.

**Mr. Howard Hampton:** I was listening hard for an answer there. The question was, how could the McGuinty government give \$235 million to General Motors, a huge multinational corporation, and get no job guarantees? I've asked that question for weeks and still don't have an answer.

The news is actually worse, because chief executive officer Wagoner said the plant will cease production in 2009 and "we don't have plans to allocate future products." This means it's a permanent closure. This means thousands of parts jobs will go as well.

Will the Premier finally admit that giving General Motors \$235 million of public money without getting job guarantees in return was not a very good jobs strategy?

**Hon. Dalton McGuinty:** I think a few facts on this score would be helpful.

We landed a \$2.5-billion investment; it's called the Beacon project. There was a \$235-million co-investment; \$60 million of that went to universities to help them conduct research to help us land the next-generation vehicle. All the remaining money that went to GM was a loan. That's point number one.

Secondly, although it was a car production facility, we looped in the truck plant so that if there were job losses in the truck plant, there would be early repayment of that loan required. If GM is, in fact, in breach of that agreement, then we will enforce it as such and seek early repayment on that loan.

**Mr. Howard Hampton:** This story becomes more interesting every day. When this announcement was originally made by the Minister of Economic Development and Trade three years ago, he said that this was going to guarantee thousands of jobs for GM workers in Oshawa, in St. Catharines, across Ontario. Then we found out there were no job guarantees. A few weeks ago, the Minister of Economic Development and Trade said they weren't in breach of any obligations. Now, today, the Premier says it was a loan and there is a breach.

Premier, can you tell us how much of the money is going to come back to Ontario, when is it going to come back to Ontario, and is it going to do anything for the 2,500 workers who've lost their jobs and the thousands more who are about to go?

**Hon. Dalton McGuinty:** We'll have to wait and see what happens at the end of 2009 in terms of actual job numbers, but there are specific provisions found within this contract.



Let me tell you why we still have reason to be optimistic. This investment that we made together in this new Beacon project was to build a new, flexible manufacturing plant. A flexible plant allows us to shift on the fly, essentially, and respond quickly to changing market conditions and new consumer demands. We know that North Americans buy at least 15 million new vehicles every year. We know that they're buying fewer trucks and SUVs because of rising gas prices. GM has told us they want to make new cars. Guess who's at the top of the line to land a new car investment in North America? It's the Beacon project in Oshawa, because of our investment that we've made together. The fact is, we have positioned ourselves well for the future and we look forward to an ongoing dialogue with GM, working with CAW to land the next new investment here in Ontario.

### SKILLS TRAINING

**Mr. Howard Hampton:** To the Premier: This is interesting. As thousands of workers lose their jobs every week, the Premier says this is good positioning.

But it's not just to General Motors that the McGuinty government has been handing out money and not getting job guarantees. Two years ago, at the Dell call centre in Ottawa, the Premier bragged, "High-value jobs like the ones announced today will help us continue to build more opportunity for Ontario families and strengthen our future prosperity." Well, today the call centre is closed, the jobs are gone, the workers say they received little training and, yes, Dell, a huge, profitable, multi-million-dollar corporation, got \$11 million of Ontario's money. Does the Premier still say that the laid-off workers and the public got a good deal on the \$11-million gift to Dell?

**Hon. Dalton McGuinty:** To the Minister of Training, Colleges and Universities.

**Hon. John Milloy:** I'm proud to be part of a government which offers over 150 apprenticeships in the province of Ontario, and I'm proud of the training that was received at Dell. The guidelines for the trades offered at Dell required approximately 4,000 hours of both in-school and on-the-job training, and the workers there received transferable skills.

I'd like to draw the member's attention to a quote in the Sun, where David Weedmark, managing partner of the AIM Group's IT services division, was asked to comment on the Dell situation. He said he "fields dozens of calls every week looking for exactly the type of employees who worked at Dell."

"I would say over the next couple of months a third to a half of them should be able to find work. This is not a time to give up hope, because those skill sets are very much in demand. There are people like us scouring the streets looking to find"—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary.

**Mr. Howard Hampton:** The question was to the Premier, and I think I know why the Premier wants to duck the question. His hometown newspaper, the Ottawa

Citizen, tells quite a different story. It points out that many of the workers were already fully trained. It points out that others who were contacted said they received little training for the \$11-million gift to Dell. Dell was so worried about this—the workers speaking out—that it forced them to sign a gag order before they left the company.

I think Ontarians deserve to know how their \$11 million in training money was spent since so many of the workers didn't get training. My question to the Premier: Will the Premier ask the Auditor General to come in and look at the Dell handout, where they got \$11 million and 1,000 workers wound up in the street?

**Hon. John Milloy:** I find this a little bit offensive. We are talking about real people and real jobs. We are talking about people who are undertaking training and transferable skills.

The honourable member asked what the funding is used for. Let me tell you about the trades: information technology support agent, 3,340 hours of on-the-job training and 600 hours—20 weeks—of in-school training; information technology call centre inside sales agent, 3,730 hours of on-the-job training and nine weeks of in-school training; information technology call centre customer care agent, 3,730 hours of on-the-job training and nine weeks of in-school training.

We care about making sure that we have well-trained workers and we're not going to stand in the House and make fun of them as the honourable members do across the way.

**Mr. Howard Hampton:** Most people in Ontario think that an apprenticeship involves years of training with a skilled journeyman, an instrument mechanic, an electrician or a welder. But it appears that for the McGuinty government, if you can sign something that says you might provide three weeks of training for someone in how to answer the phone, you'll get apprenticeship money. No other province in Canada doles out apprenticeship money for this kind of thing. No other province in Canada doles out \$11 million to a profitable, multi-national corporation and then has 1,000 workers out on the street—and says it's a good deal.

My question to the Premier: When are you going to call in the Auditor General to look at what was a very bad deal for workers, a very bad deal for the public and a gift for Dell?

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**Hon. John Milloy:** I'm very proud of the fact that we have an apprenticeship system in this province which recognizes the needs of the business community and the changing nature of our economy. Right now, we have 152 apprenticeships which are registered in the province, many of them providing similar training guidelines as the ones at Dell. I'll give you some examples: automotive glass technician, hoisting engineer, roofer, chef, construction craft worker, heavy equipment operator and automotive accessory technician. These are very similar training regimes as the ones offered at Dell.



We're in changing times. We actually recognize that, in a new economy, there are new skill sets that are needed, such as those offered at Dell. We don't sit there and make fun of hard-working individuals who receive transferable skills that will be useful throughout the Ottawa job market. I'm very proud of our record on apprenticeships.

### SCHOOL CLOSURES

**Mr. Randy Hillier:** My question is to the Premier. Last September, you said the following: "For rural kids, few things are more important than being able to go to school in your own community, with your own friends. Rural schools help keep communities strong, which is why we're not only committed to keeping them open—but strengthening them." Those are your words, Mr. Premier, not mine.

Today, we have at least 50 rural schools closing, and many more are on the chopping block. These closures are another example and consequence of your relentless and uncaring attack on our rural culture, our rural heritage and our rural economy—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock for a moment, please. I just remind the members from the government side that heckling is one thing, but some of the personal shots that I'm hearing are not acceptable. I just remind the government members of that.

Member?

**Mr. Randy Hillier:** Mr. Premier, why are you once again betraying the trust of rural Ontario and breaking another promise? Do you know how to keep a promise? Do you know how to be truthful?

**Hon. Dalton McGuinty:** To the Minister of Education.

**Hon. Kathleen O. Wynne:** Yes, let's talk about records. Since we came into office, we have increased funding to rural boards by \$632 million. On our watch, there have been 404 new schools opened, and that is in the face of declining enrolment. We all know that there will be 90,000 fewer students next year than there were in 2003.

I'm not sure which party the member's speaking for, but the record of the Conservative Party is that under their watch, there were 50,000 more students and 500 schools closed.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mrs. Joyce Savoline:** To the Premier: In 2002, in this very Legislature, you felt it was critical to keep Thames Valley district schools open. Now, on your watch as Premier, these schools are on the chopping block. That same year, you asked the Eves government for a moratorium on school closures. Now there are accommodation reviews starting in 300 schools across the province.

When are you finally going to stop playing politics with our students? When are you finally going to keep

your promise, or is your legacy as education Premier going to be the closure of rural schools?

**Hon. Kathleen O. Wynne:** It is beyond rich for a member of that party to be talking to us about playing politics on education. It is absolutely absurd. Since we came into office, 690 new teachers have gone into our rural schools—\$632 million.

The reality is that school boards in this province must be able to make decisions based on the program that they need for their students in their schools. They must be able to plan for the students who are in their schools. This is why we have put pupil accommodation review guidelines in place that require the board to consult with the community, that look at the value of the school to the community and look for alternatives, but at the end of the day, if schools must consolidate or close, boards must be free to do that in the interests of the students in our publicly funded education system.

### INFECTIOUS DISEASE CONTROL

**M<sup>me</sup> France Gélinas:** Ma question est pour le ministre de la Santé et des Soins de longue durée. Minister, we know that hundreds of people have died from *Clostridium difficile*. Patients at St. Michael's Hospital, as recently as this morning, are reporting that there are no signs posted at the hospital warning them of a *C. difficile* outbreak.

How many more shocking disease outbreaks will occur before this minister realizes that health care facilities must clearly warn patients of disease outbreaks?

**Hon. George Smitherman:** I think that the honourable member's suggestion is one that merits consideration by Dr. Baker, but I think that a far more appropriate starting point for all patients, for visitors to hospitals and for people who work in hospitals and other institutional environments is to understand the necessity of the obligation to take steps to protect themselves and to make assumptions, frankly, about the risks that are occurring in these environments.

What has surprised me to some extent is that in the House, the characterization by both parties is that they became aware of this issue just a few weeks ago, but the health care system has known about the attendant risk associated with superbugs in hospitals. They've been taking proactive steps to manage it, but these are very serious challenges indeed.

I'll take the honourable member's suggestion under advisement and ask Dr. Baker to give us some advice around that, but at the heart of it, all of us who are in those environments must make assumptions and take appropriate steps to protect ourselves and especially to do the right thing to protect others.

**M<sup>me</sup> France Gélinas:** In the face of a public crisis, Ontarians are losing confidence in our health care system. One way to rebuild public confidence is to give them an opportunity to bring their issue to a neutral third party such as an Ombudsman. Why is the minister afraid to bring in Ombudsman oversight of hospitals?



**Hon. George Smitherman:** In the matter at hand, the honourable member uses a word like “crisis,” then she calls for investigation by those who don’t have express capacity in this area.

We have a different approach. We believe fundamentally that the important step forward is to ask Dr. Michael Baker, an accomplished expert in the areas of patient safety, to lead an initiative which will dramatically enhance the information that Ontarians have on a wide variety of patient safety indicators. We believe this is the approach which is prudent in the circumstances and delivers the most timely results and benefits to the people of the province of Ontario.

I remind the honourable member that C. difficile is not something that’s come about only recently. This is something that hospitals and the hundreds of thousands of people who work in those environments, visit those environments and are patients in those environments have an obligation to be aware of and to take the steps that they can take, such as rigorous handwashing and dedication to cleanliness, that can provide very, very effective capacity in these circumstances.

#### HOSPITAL FUNDING

**Mr. Phil McNeely:** My question is for the Minister of Health and Long-Term Care. Minister, the issue of emergency room wait times is well known to all members of this House. This issue is not a new one, but something that my constituents of Ottawa–Orléans have raised with me a number of times. You recently made an announcement about new investments to reduce emergency wait times. Hôpital Montfort was one of the recipients of direct funding. My constituents would like to know how this money is going to reduce wait times and when my constituents are going to see improvements.

**Hon. George Smitherman:** Under the leadership of Dr. Alan Hudson, we’ve taken another significant step forward, which is to bring the successful Ontario approach to reducing wait times to one of the public’s biggest battles, which is with wait times in hospital emergency rooms. A \$30-million pay-for-performance fund will target and incent the practices that will enhance performance in our 23 poorest-performing emergency rooms.

But in addition to that are a wide variety of initiatives led by Kevin Smith, the CEO of St. Joseph’s hospital in Hamilton, to provide better alternatives to hospital care so that we can reduce the proportion of alternate-level-of-care patients. That means providing more resources to home care and enhancing the number of hours that people can receive, \$22 million in priority funding that each LHIN will have the opportunity to roll out and support local initiatives, \$4.5 million for dedicated nurses for ambulances arriving, and nurse-led teams that will outreach the long-term-care homes—all in an effort to stabilize populations where they are.

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**Mr. Phil McNeely:** Minister, I know my constituents will be glad to see that Hôpital Montfort is receiving some of this targeted funding. Hôpital Montfort is an important aspect of health care in Ottawa and provides very good care to my constituents in Ottawa–Orléans. While this \$30 million in targeted funding will help the 23 poorest-performing emergency rooms, I would like to know what is being done to help the rest of the ERs across the province that are struggling with long ER wait times. I would like the minister to tell us what he is doing to ensure that all hospitals benefit from this recent announcement.

**Hon. George Smitherman:** Our efforts are to take coordinated steps to reduce wait times and enhance patient satisfaction in Ontario’s emergency rooms—this is a challenge in many hospitals—but most precisely are focusing in on 23 hospitals where the performance has been the poorest. By targeting the \$30 million, we’re going to provide a pay-for-performance capacity where we incent the hospital and have expectations of improved performance on behalf of patients.

All hospitals in Ontario will benefit from the efforts to reduce alternate-level-of-care patient loads. Hôpital Montfort will be receiving \$686,000 as part of an investment in the Champlain LHIN and in Ottawa hospitals that totals more than \$4 million. With these initiatives and the alternate-level-of-care initiatives which complement them, we feel confident that we will begin to make substantial progress to reduce wait times and improve patient satisfaction in Ontario’s emergency rooms.

#### SEWAGE SPILL

**Mr. Norman W. Sterling:** My question is to the Minister of the Environment. The city of Ottawa has been struck by unbelievable news that there were over a billion litres of raw sewage dumped into the Ottawa River by the city of Ottawa and their sewer system.

You found out about this in May 2007, according to the records. Your spokesman for the Ministry of the Environment says you started your investigation on May 26, 2008—last month. Why did you do nothing for a year?

**Hon. John Gerretsen:** I thank the member for the question. Obviously, we share Ottawa’s concern as to what happened there in August 2006, but we have—

**Mr. John Yakabuski:** It’s a cover-up.

**The Speaker (Hon. Steve Peters):** Member for Renfrew, withdraw the comment, please.

**Mr. John Yakabuski:** I withdraw.

**Hon. John Gerretsen:** In May 2007, when we found out about this, the ministry immediately contacted the city of Ottawa and the following steps have been taken to ensure that this kind of an event—

*Interjection.*

**The Speaker (Hon. Steve Peters):** The member from Welland will withdraw the comment, please.



**Mr. Peter Kormos:** I withdraw, Speaker.

**Hon. John Gerretsen:** Speaker, I'm somewhat surprised that the members opposite wouldn't want to hear what was actually done by the Ministry of the Environment when they heard about this in May 2007.

In any event, we take this very seriously, and we wanted to make sure that this kind of an event, which meant that the gates were open for an extra two weeks back in August 2006, wouldn't happen again. So what did we do? The ministry gave top priority to the certificates of approval that were required for the city's sewer system upgrade to be on track. It also ensured that all the certificates of approval for the city's sewer system upgrade included the enhanced and stringent monitoring, reporting, contingency planning of the combined sewer overflows.

We have been working with—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary?

**Mr. Norman W. Sterling:** You still haven't answered the question as to why you began your investigation on May 26 this year. Mr. Minister, why don't you do what the city of Ottawa did, that is, have an independent investigation of its role in this whole matter? Why don't you agree to an independent inquiry into your role in this whole debacle?

**Hon. John Gerretsen:** The member still doesn't understand that the Ministry of the Environment started to work with the city of Ottawa as soon as it heard about this in May 2007. It wanted to make sure that the kind of occurrence that happened in August 2006 didn't recur. That's why it put more stringent monitoring systems into place to make sure that it didn't happen, and also to make sure that the certificates of approval that were in the process of being approved, were going to be adhered to.

Our main concern within the Ministry of the Environment is to absolutely assure the people of Ottawa that the kind of occurrence that happened in August 2006 won't happen again.

The investigation that he's talking about was as a result of what the city of Ottawa employee didn't do in August 2006, and that didn't occur until we were notified by the department of public health about two or three weeks ago.

#### ONTARIO DISABILITY SUPPORT PROGRAM

**Mr. Michael Prue:** My question is for the Premier. Thousands of Ontarians have disabilities. Those disabilities include mental, physical and emotional illnesses that pose serious barriers to their ability to work and earn a living. Through no fault of their own, people with disabilities who also receive ODSP payments are condemned by this government to a life sentence of poverty. ODSP benefits leave single adults \$6,000 below the after-tax Statistics Canada low-income cut-off number. When will this government stop forcing Ontarians with disabilities to live on sub-poverty-level benefits?

**Hon. Dalton McGuinty:** To the Minister of Community and Social Services.

**Hon. Madeleine Meilleur:** It's a very interesting question. This government has worked, since we have been elected, to improve the quality of life of those on ODSP. We have removed most of the barriers that were put in place by the previous government to prevent them from improving their quality of life. For instance, we consulted with them and some of them told us that they would go back to work if this government provided their medication. They were also telling us that they would like to be able to retain more of what they are earning. So we worked on that. We have listened to them, and we have amended our processes to help them to improve their quality of life and to help them if they want to go back to work.

**Mr. Michael Prue:** To the minister: And you continue to claw back everything they earn above \$350 a month.

*Interjection.*

**The Speaker (Hon. Steve Peters):** I'd just remind the members of the use of some language in here. Thank you.

**Mr. Michael Prue:** Six ODSP recipients are here with us today: Ken MacLeod, Cheryl Duggan, Kyle Vose, Mike Yale, Chris Sartor and Sharon McPherson. They're all here in the west gallery. They are here to ask the Premier to listen to their stories and to consider standing in their shoes. The meagre 2% ODSP increase that was in this budget amounts to 60 cents a day. What they want and what we all want is a commitment from this Premier that no Ontarian with a disability will be forced to live in poverty forever. Does this government believe that \$2 a day is a reasonable amount for these people to have, after rent and food expenses, in their pocket?

**Hon. Madeleine Meilleur:** I will continue to let the people in the gallery know what this government has done since we came into power. We've listened to them. We have increased social assistance by—it's going to be 9% this November. We know that they have had a lot of challenges. Every time that we move forward to improve their quality of life, this party votes with their friends who reduced their benefits by 22%. We're listening to them. We want to improve their quality of life. We want to help those who are able to return to work. We are improving their quality of life, so that they can keep their health benefits, they can keep their medication benefits, and they can keep more of what they are earning. We will continue to work with them to improve their quality of life.

#### AFFORDABLE HOUSING

**Mr. Jean-Marc Lalonde:** My question is to the Minister of Municipal Affairs and Housing. But first, I would like to take this opportunity again to welcome the mayors and councillors of Glengarry, Prescott and Russell who are here with us in the gallery. They are here for a very



special day, Glengarry–Prescott–Russell day at Queen's Park. This is going to be done every year now.

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The united counties of Prescott and Russell and the municipality of North Glengarry have many of the same challenges that exist elsewhere in the province, such as infrastructure deficit, shortage of affordable housing, growing transit needs and many more. Bien que ces problèmes soient fréquents—

**The Speaker (Hon. Steve Peters):** Thank you. Minister.

**Hon. Jim Watson:** I want to congratulate the honourable member on celebrating his 38th anniversary representing the good people of eastern Ontario and Glengarry–Prescott–Russell. What a change to see constituents and municipal leaders from eastern Ontario here to support Mr. Lalonde.

About two weeks ago, the member from Lanark brought some constituents here, and do you know what? He had a press conference with them and they turned on him. They asked for his resignation. So I would encourage members to go to YouTube, type in “Randy Hillier,” and you'll see quite a sight—

**The Speaker (Hon. Steve Peters):** I remind the member that we do not refer to individuals by their name, but by their riding.

Answer, please.

**Hon. Jim Watson:** I know that there will be a lot of hits on that YouTube site. Here he comes back again. So I'm very proud—

*Interjections.*

**Mr. Tim Hudak:** On a point of order, Mr. Speaker: I'd ask you to rule if this answer by the minister has anything whatsoever to do with his portfolio. This question should clearly be ruled out of order as a direct attack on a member of the Legislative Assembly of Ontario.

**The Speaker (Hon. Steve Peters):** The government House leader on a point of order.

**Hon. Michael Bryant:** On that point of order, I think that the question and answer are entirely consistent with the kinds of questions and answers that are undertaken by the official opposition and third party. I respect whatever latitude the Speaker wishes to undertake, but the idea that the opposition and third party do not engage in ad hominem questions and ad hominem answers is completely absurd, and I know—

**The Speaker (Hon. Steve Peters):** Thank you. I do agree with the member that that was, I believe, a personal attack at the member. I would ask him to withdraw the comment.

**Hon. Jim Watson:** I withdraw.

**The Speaker (Hon. Steve Peters):** The member for Glengarry–Prescott–Russell.

**Mr. Jean-Marc Lalonde:** We often hear the need for housing framed as an urban issue, but the fact of the matter is that it affects every municipality, large or small. Often, small municipalities can feel ignored over discussions around housing. The mayors of Glengarry–Prescott–Russell's diverse municipalities want to know that

they have a partner in this government. What have the minister and his government done to assure these municipalities that their concerns have been heard and are being addressed?

**Hon. Jim Watson:** I'm very proud of the work that we've done with respect to social housing. For instance, \$100 million was announced in the budget for rehabilitation and repair. In Prescott and Russell, \$381,000 was delivered; in Stormont, Dundas and Glengarry, \$774,000.

The Premier announced the continuation of the rent bank, a \$5-million investment. Prescott and Russell received \$29,000; Stormont, Dundas and Glengarry, \$71,000. This is another example of a member of this side, of the government, working hard for their constituents. I can tell you, those men and women up there are not going to be calling for Jean-Marc Lalonde's resignation.

## POLYGAMY

**Ms. Lisa MacLeod:** My question is to the Premier. Yesterday, just before British Columbia launched a criminal probe into the illegal polygamist marriages taking place there, I demanded the same in this chamber for Ontario's well-documented polygamy problem. Last night, I sent the Premier an urgent letter to ask him to heed BC's action and initiate a criminal probe here too. Will the Premier send a strong message of support for Canada's laws and immediately launch a criminal investigation into these illegal polygamist marriages taking place in Toronto?

**Hon. Dalton McGuinty:** To the Minister of Government and Consumer Services.

**Hon. Ted McMeekin:** I'll respond to the honourable member's question by reminding her of what the Attorney General said in this House yesterday. He said that in Ontario, where there are allegations of criminal activity, the police are responsible for investigating—

*Interjection.*

**The Speaker (Hon. Steve Peters):** I ask the member from Renfrew to withdraw the comment.

**Mr. John Yakabuski:** Withdraw.

**Hon. Ted McMeekin:** —and determining whether or not there are grounds for charges to be laid. I want to further highlight his point that political interference is not something that this government is desirous of getting into. In fact, it's not something that's proper. In the course of an investigation, the police can seek legal advice from crown attorneys—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary.

**Ms. Lisa MacLeod:** Apparently they don't care about breaking the law either. This government is passing this issue around the cabinet table like a political hot potato. The Minister of Government and Consumer Services' responses often contradict federal law. The women's issues minister won't stand up for gender equality. Now you have the Attorney General, and apparently this



minister, wanting to sweep this dirty little secret under the carpet.

So I ask: Will they do the right thing? Will they do what it took 20 years for British Columbia to do and launch a criminal investigation, or will they continue to pass the buck around for another 20 years, at the expense of the rule of law in this country and gender equality rights in this province?

**Hon. Ted McMeekin:** It's not my place to comment on criminal law. It is entirely my place to express in this House today that we have full confidence in the ability of the police to carry out their investigative responsibilities.

Repeated calls for interference in police investigations are not helpful and unfairly discredit the police, diminish public respect for the work that they do every single day, and unfairly jeopardize public safety. In the event that charges are laid by the police, they will in fact be prosecuted by the crown in the normal course of events.

### EVENTS IN TIBET

**Ms. Cheri DiNovo:** My question is to the Premier. The Parliamentary Friends of Tibet of Ontario are asking, along with the Tibetans of Ontario and His Holiness the Dalai Lama, that the torch relay not pass through Tibet. Many are not aware that the epicentre of the earthquake was in Tibetan territory. This will add to the instability of the situation there and is not necessary. Will this government add its voice to those around the world calling to stop the torch relay through Tibet?

**Hon. Dalton McGuinty:** We've addressed this matter in this Legislature by way of a very specific resolution. It's not specific to this particular issue, but we indicated, as a government and as all parties—I'll read it: "That the Legislative Assembly of Ontario, as a long-standing friend of China, express concern with the current situation in Tibet and encourage the parties to engage in meaningful dialogue." I understand my friend's concern with this specific issue, but we prefer the resolution that we supported unanimously in this Legislature.

**Ms. Cheri DiNovo:** Again to the Premier: Not so long ago, we discovered that the Minister of Economic Development and Trade went on a secretive trip to China as Tibetans and others around the world asked for attention to be paid to the human—

*Interjections.*

**Ms. Cheri DiNovo:** We have Tibetans who are watching this in the gallery; they don't appreciate the laughter—and others around the world asked for attention to be paid to the human rights abuses that were taking place in Tibet.

Understanding that Ontario is home to one of the largest Tibetan populations in the western world, could the Premier give the House a list of any cabinet members who are attending the opening ceremonies of the Olympic games?

**Hon. Dalton McGuinty:** To the best of my knowledge, nobody is representing our government there—certainly not any elected representative.

We will continue, however, to support our athletes who want to participate, our Olympic athletes and those who are going to participate in the Paralympics. We've had funding through our Quest for Gold program, which has been set aside for quite some time now to help in that regard. But when it comes to this difficult situation between China and Tibet, we think that we gave expression to our values and our aspirations on behalf of both sides through a resolution that we endorsed unanimously in this House.

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### INFRASTRUCTURE RENEWAL

**Mrs. Maria Van Bommel:** A number of municipalities in my riding of Lambton-Kent-Middlesex, including Dawn-Euphemia, have been notified by the federal government that they were approved for funding important infrastructure projects. This funding comes from the federal municipal rural infrastructure fund that was announced in 2007. The support from the federal government, however, depends on assurances that these same municipalities can fully fund the remaining two-thirds cost of those projects. In the case of the township of Warwick, their council will have to obtain over \$4 million in order to receive the federal assistance. That's not an easy feat for a town of 600 households, in order to upgrade their sewage system.

My question is for the Minister of Public Infrastructure Renewal. Could the minister clarify for my constituents the criteria the federal government used to select projects that were actually submitted under a previous COMRIF?

**Hon. David Caplan:** I want to thank the member for the question. I want to let the House know how concerned the government is with announcements like the example the member has just brought forward. As the member mentioned, these announcements have created uncertainty and situations which I believe were completely avoidable. I wish I could tell the House how the federal government selected these projects, what criteria were used. Only the federal government can say for certain what they had in mind.

What I can tell the House is that Ontario welcomed the news of the so-called \$200-million top-up and was fully prepared to make contributions on the same basis which had gone previously. It was a complete surprise that the federal government decided unilaterally to select projects and announce them without informing or engaging the province of Ontario. What we see emerging from the federal government is a list of projects that were not successful in previous COMRIF rounds that had been granted provisional approval based on—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mrs. Maria Van Bommel:** Earlier this year, I was pleased to announce that municipalities in Lambton-Kent-Middlesex had received over \$21.3 million to fix roads and bridges as my riding's share of the \$400-



million investment this government made. As well, I was able to announce an additional \$18.3 million for projects approved in Lambton-Kent-Middlesex under the municipal infrastructure investment initiative. But in making a federal municipal rural infrastructure fund announcement for the municipality of Brooke-Alvinston, my federal counterpart explained in the Glencoe Transcript and Free Press, "Communities and provincial governments will match it, one third each."

Minister, given that we have already made substantial financial investments in municipal infrastructure this year and, as you have stated, we were not consulted in any way on the recent federal projects approvals, will this government be participating in any of these federal municipal infrastructure projects?

**Hon. David Caplan:** An excellent question. In fact, I wrote to every COMRIF-eligible municipality to tell them that no provincial support should be presumed. This government works with our municipal leaders to make sure they have real dollars in hand to make projects happen. We've established a relationship with our municipal partners that demonstrates a responsible, balanced approach to recognizing the infrastructure priorities that vary across the province. The municipal infrastructure initiative, for example: \$450 million into 243 projects right across this province, projects that municipalities have under way because they have the cash in hand. That's a real commitment to infrastructure that goes beyond the federal government phony announcements.

We are very disappointed with the MRIF process and with the direction the federal government has chosen, the situation that several communities are facing, and we're looking forward to continuing and urging our federal colleagues to engage in a real partnership with us.

### BEEF PRODUCERS

**Mr. Ernie Hardeman:** My question is to the Minister of Agriculture. Today, the Ontario Cattlemen's Association is here at Queen's Park to share the concerns of their members. I want to thank them for coming here to meet with us and for all the hard work they do on behalf of those members. I also want to thank them for inviting us all to join them for a barbecue lunch with great Ontario corn-fed beef, which is famous throughout the country, if not throughout the world. We hear from them about the tough times that our beef farmers are facing.

Minister, they have asked you for a \$20-million safety net fund to guarantee a floor price for producers. Will you stand up today and commit to them that you will create such a fund?

**Hon. Leona Dombrowsky:** First of all, I would like to join the member from Oxford in welcoming the Ontario cattlemen, and we invite all members of this Legislature to come outside on the front lawn of the Legislature and enjoy some of Ontario's finest corn-fed beef.

Our government has, certainly, a history of working very closely with the Ontario Cattlemen's Association. Last fall, when the signs were very apparent that the

industry was in difficulty, we met with the Ontario Cattlemen's Association, we met with the Ontario pork producers and horticulture producers in Ontario, and we came up with a program. The Minister of Finance, in December, announced a \$150-million new program—\$150 million in new money—to support cattle, hogs and horticulture in the—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Ernie Hardeman:** Minister, people who know what's going on in the beef industry know that the CAIS program isn't working for beef farmers, because prices are steadily declining. They know that a lot of beef farmers in need were missed by your cattle, hog and horticultural program. We've been telling you about this in this Legislature day after day.

The cattlemen are here. They told us of the type of program their farmers need. Will you commit today to provide the \$20 million to fund a guaranteed floor price for the producers?

**Hon. Leona Dombrowsky:** I would remind the honourable member that I do have a letter from the president of the Ontario Cattlemen's Association. It says, "I would ... like to thank our Premier, the Honourable Dalton McGuinty. It is very encouraging to see his government take a leadership role in recognizing the financial hurt that producers are currently" suffering. So they very much appreciate the reaction that our government has had to the crisis in the industry.

I would also like to say that, when you look across this great nation of ours, Ontario has stepped up to the plate to address the crisis there is in cattle, in hogs and in horticulture, unlike most other provinces. Geri Kamenzen—again, the Ontario Federation of Agriculture—has offered very positive remarks. I think that it's very clear—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. New question.

### NORTHERN ONTARIO DEVELOPMENT

**M<sup>me</sup> France Gélinas:** My question is for the Premier. Yesterday, I attended the northern growth plan consultation in Sudbury. Part of the development of the growth plan is the work of G-North, the round table of the 17 ministries. Can the Premier tell us why the meetings of the G-North round table are not being held in northern Ontario?

**Hon. Dalton McGuinty:** To the Minister of Public Infrastructure Renewal.

**Hon. David Caplan:** In fact, this is a very unique process, where we have 17 ministers and 17 ministries coming together on a regular basis to bring the unique perspectives, the expertise in policy and the resources available to be able to work on this incredibly important policy initiative. It has never been done before. It is unprecedented in the history of Ontario government and, I would say, in government anywhere in this country. To

be able to get that level of support and the coordination—it's an incredible thing.

This table of ministers has been incredibly welcome in northern Ontario. Northern Ontarians are very excited about the northern growth plan. They're excited about the consultations. They're excited to finally have a government who stands up for them, who's working for them and developing a plan which is going to see northern Ontario move forward and see the prosperity—

**The Speaker (Hon. Steve Peters):** Thank you. The time for question period has ended. It is now time for petitions.

## PETITIONS

### LONG-TERM CARE

**M<sup>me</sup> France Gélinas:** I'd like to petition the Legislature as such:

"Whereas understaffing in Ontario's nursing homes is a serious problem resulting in inadequate care for residents and unsafe conditions for staff;

"Whereas after the Harris government removed the regulations providing minimum care levels in 1995, hours of care dropped below the previous 2.25 hour/day minimum;

"Whereas the recent improvements in hours of care are not adequate, vary widely and are not held to accountable standards;

"Whereas there is currently nothing in legislation to protect residents and staff from renewed cuts to care levels by future governments; and

"Whereas care needs have measurably increased with aging and the movement of people with more complex health needs from hospitals into long-term-care homes;

"We petition the Legislative Assembly of Ontario to immediately enact and fund an average care standard of 3.5 hours per resident per day in the regulations under the new Long-Term Care Homes Act."

I support this petition. I will affix my name to it and send it with page Aaron.

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### CHILD CUSTODY

**Mr. Kim Craitor:** This petition is addressed to the Legislative Assembly of Ontario. The petition reads as follows:

"Whereas the people of the province of Ontario deserve and have the right to request an amendment to the Children's Law Reform Act to emphasize the importance of children's relationships with their parents and grandparents as requested in Bill 33;

"Whereas subsection 20(2.1) requires parents and others with custody of children to refrain from unreasonably placing obstacles to personal relations between the children and their grandparents; and

"Whereas subsection 24(2) contains a list of matters that a court must consider when determining the best interests of a child. The bill amends that subsection to include a specific reference to the importance of maintaining emotional ties between children and grandparents; and

"Whereas subsection 24(2.1) requires a court that is considering custody of or access to a child to give effect to the principle that a child should have as much contact with each parent and their grandparent as is consistent with the best interests of the child; and

"Subsection 24(2.2) requires a court that is considering custody of a child to take into consideration each applicant's willingness to facilitate as much contact between the child and each parent and grandparent as is consistent with the best interests of the child;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Children's Law Reform Act to emphasize the importance of children's relationships with their parents and grandparents."

I'm pleased to sign my signature in support of this bill.

### LORD'S PRAYER

**Mr. John O'Toole:** I'm pleased to present a petition on behalf of my constituents. This was a particular group from Blackstock, and one of the presenters is Reid Bongard. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its rightful place at the beginning of daily proceedings in the Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message of forgiveness and the avoidance of evil is universal to the human condition: It is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I am pleased to sign this and present it to page Radhika.

### LORD'S PRAYER

**Mr. Bill Mauro:** I have a petition addressed to the Legislative Assembly of Ontario which reads:

"Whereas an all-party committee is reviewing the recital of the Lord's Prayer at the beginning of daily proceedings in the Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and



"Whereas the Lord's Prayer's message is one of forgiveness, of providing for those in need of their 'daily bread' and of preserving us from the evils that we may fall into; it is a valuable guide and lesson for a chamber that is too often an arena for conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the Lord's Prayer in the Legislature."

#### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mrs. Christine Elliott:** A petition to the Legislative Assembly of Ontario:

"Whereas many young people with developmental special needs have no meaningful social, recreational or vocational opportunities after high school; and

"Whereas many of these young people have no real options for living independently in the community; and

"Whereas current supports in place are insufficient to meet the needs of these young people;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government allocate an appropriate level of funding to advance the transformation agenda of individualized funding for adults with developmental special needs in the province of Ontario to allow them to live with dignity and to reach their full potential as members of our communities."

I'm pleased to affix my signature in support.

#### HOSPITAL FUNDING

**Mr. Joe Dickson:** A petition to the Legislative Assembly of Ontario:

"Whereas the Central East ... LHIN ... board of directors approved the Rouge Valley Health System's deficit elimination plan, subject to public meetings; and

"Whereas it is important to ensure that the new birthing unit at Centenary hospital, a \$20-million expansion that will see 16 new labour, delivery, recovery and postpartum (LDRP) birthing rooms and an additional 21 postpartum rooms added by October 2008, will not cause any decline in the pediatric services currently provided at the Ajax-Pickering hospital; and

"Whereas, with the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a project that could reach \$100 million (of which 90% is funded by the Ontario government); and

"Whereas it is also imperative for the Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding; and

"Whereas the parents of Ajax and Pickering deserve the right to have their children born in their own community, where they have chosen to live and work;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Rouge Valley Health System continue to provide the current level of service; and

"That our Ajax-Pickering hospital now serves the fastest-growing communities of west Durham; and

"That the Ajax-Pickering hospital retain its full maternity unit."

I will affix my signature to that and pass this to Damian.

#### ANTI-SMOKING LEGISLATION

**Ms. Laurie Scott:** A petition to the Legislative Assembly of Ontario:

"Whereas children exposed to second-hand smoke are at a higher risk for respiratory illnesses including asthma, bronchitis and pneumonia, as well as sudden infant death syndrome ... and increased incidences of cancer and heart disease in adulthood; and

"Whereas the Ontario Medical Association supports a ban on smoking in vehicles when children are present, as they have concluded that levels of second-hand smoke can be 23 times more concentrated in a vehicle than in a house because circulation is restricted within a small space; and

"Whereas the Ipsos Reid poll conducted on behalf of the Ontario Tobacco-Free Network indicates that eight in 10 (80%) of Ontarians support 'legislation that would ban smoking in cars and other private vehicles where a child or adolescent under 16 years of age is present'; and

"Whereas Nova Scotia, California, Puerto Rico and South Australia recently joined several jurisdictions of the United States of America in banning smoking in vehicles carrying children;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to approve Bill 11 and amend the Smoke-Free Ontario Act to ban smoking in vehicles carrying children 16 years of age and under."

I appreciate all the people in my riding of Haliburton-Kawartha Lakes-Brock who have signed it, and I hand it over to the page Radhika.

#### ANTI-SMOKING LEGISLATION

**Mr. Jeff Leal:** I have a petition today. Actually, there's an interesting name on here. It says "Steven Harper," but this is a Steven Harper who lives in Apsley, Ontario.

"To the Legislative Assembly of Ontario:

"Whereas children exposed to second-hand smoke are at a higher risk for respiratory illnesses including asthma, bronchitis and pneumonia, as well as sudden infant death syndrome ... and increased incidences of cancer and heart disease in adulthood; and

"Whereas the Ontario Medical Association supports a ban on smoking in vehicles when children are present, as they have concluded that levels of second-hand smoke can be 23 times more concentrated in a vehicle than in a

house because circulation is restricted within a small space; and

"Whereas the Ipsos Reid poll conducted on behalf of the Ontario Tobacco-Free Network indicates that eight in 10 ... Ontarians support 'legislation that would ban smoking in cars and other private vehicles where a child or adolescent under 16 years of age is present'; and

"Whereas Nova Scotia, California, Puerto Rico and South Australia recently joined several jurisdictions of the United States of America in banning smoking in vehicles carrying children;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to approve Bill 11 and amend the Smoke-Free Ontario Act to ban smoking in vehicles carrying children 16 years of age and under."

I agree with this petition and will affix my signature to it and give it to Chris.

### HOSPITAL FUNDING

**Mrs. Christine Elliott:** A petition to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, believe that Ajax-Pickering hospital should have full funding for mental health, including beds;

"Whereas this would affect the mental health programs and mental health beds at the Ajax-Pickering hospital;

"Therefore be it resolved that we, the undersigned, respectfully petition the Legislative Assembly of Ontario to:

"Fully fund the mental health beds and programs at Ajax-Pickering hospital."

I'm fully in agreement with this. I'll affix my signature and hand it to page Damian.

### COMMUNITY COLLEGES COLLECTIVE BARGAINING

**Mr. Phil McNeely:** This petition is to the Legislative Assembly of Ontario.

"Whereas part-time college workers in Ontario have been waiting for 30 years for bargaining rights; and

"Whereas thousands of part-time college workers have signed OPSEU cards, and the Ontario Labour Relations Board failed to order a timely representation vote; and

"Whereas the Ontario government must immediately make good on its promise to extend bargaining rights to college part-timers;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The McGuinty government must immediately pass legislation legalizing the rights of college part-timers to organize, and direct the colleges to immediately recognize OPSEU as the bargaining agent for part-time college workers."

I will put my name to this petition.

### LORD'S PRAYER

**Ms. Laurie Scott:** "To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from daily proceedings in the Ontario Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message of forgiveness and the avoidance of evil is universal to the human condition: It is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

It is signed by many people from my riding.

### HIGHWAY 138

**Mr. Jim Brownell:** I have a petition from some of the constituents from Stormont-Dundas-South Glengarry. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas provincial Highway 138 is one of the province's only two-lane roadways within the region and provides the main connection from the international bridge at Cornwall through Stormont, Dundas and Glengarry to Highway 401 and Highway 417. Speed and traffic volumes are of particular concern and may have been contributing factors in numerous collisions and fatalities;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To urgently consider measures that will address the serious public safety and traffic hazard concerns on provincial Highway 138."

As I agree with this petition, I'll affix my signature.

### HOSPITAL FUNDING

**Mr. Joe Dickson:** "To the Legislative Assembly of Ontario:

"Whereas the Central East Local Health Integration Network (CE-LHIN) board of directors has approved the Rouge Valley Health System's deficit elimination plan, subject to public meetings; and

"Whereas, despite the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a project that could reach \$100 million, of which 90% is funded by the Ontario government, this plan now calls for the ill-advised transfer of 20 mental health unit beds from Ajax-Pickering hospital to the Centenary health centre in Scarborough; and



"Whereas one of the factors for the successful treatment of patients in the mental health unit is support from family and friends, and the distance to Centenary health centre would negatively impact on the quality care for residents of Ajax and Pickering; and

"Whereas it is also imperative for Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding;

"We, the undersigned, therefore petition the Legislative Assembly of Ontario as follows:

"That the Rouge Valley Health System continue to provide the current level of service to our Ajax-Pickering hospital, which now serves the fastest-growing communities of west Durham; and

"That the Ajax-Pickering hospital retain the badly needed 20-bed mental health unit."

I will sign that and pass it to Alie.

### LORD'S PRAYER

**Mr. Jim Wilson:** I want to thank St. Peter's Anglican Church in Minesing for sending this petition to me.

"Whereas Premier Dalton McGuinty has called on the Ontario Legislature to consider removing the Lord's Prayer from its daily proceedings; and

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe; and

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"We, the undersigned, petition the Legislative Assembly of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

I agree with this petition, and I will sign it.

### ANTI-SMOKING LEGISLATION

**Mr. Jeff Leal:** I have a petition today from the Wheeler family on Franmor Drive in Peterborough.

"To the Legislative Assembly of Ontario:

"Whereas children exposed to second-hand smoke are at a higher risk for respiratory illnesses including asthma, bronchitis and pneumonia, as well as sudden infant death syndrome (SIDS) and increased incidences of cancer and heart disease in adulthood; and

"Whereas the Ontario Medical Association supports a ban on smoking in vehicles when children are present, as they have concluded that levels of second-hand smoke can be 23 times more concentrated in a vehicle than in a house because circulation is restricted within a small space; and

"Whereas the Ipsos Reid poll conducted on behalf of the Ontario Tobacco-Free Network indicates that eight in 10 (80%) of Ontarians support 'legislation that would ban smoking in cars and other private vehicles where a child or adolescent under 16 years of age is present'; and

"Whereas Nova Scotia, California, Puerto Rico, and South Australia recently joined several jurisdictions of the United States of America in banning smoking in vehicles carrying children;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to approve Bill 11 and amend the Smoke-Free Ontario Act to ban smoking in vehicles carrying children 16 years of age and under."

I agree with the petition, and I will affix my signature to it.

**The Speaker (Hon. Steve Peters):** The time for petitions has expired. This House stands recessed until 3 o'clock this afternoon.

*The House recessed from 1204 to 1500.*

### MEMBERS' STATEMENTS

#### AUTOMOTIVE INDUSTRY

**Mr. Jerry J. Ouellette:** Well, the axe has started to fall. Only 16 days after the contractual agreements are signed, General Motors announces another huge loss for Oshawa and the closing of the award-winning truck plant. I cannot understand why I stand in this House time after time and express my concern over the changes coming in the auto sector and the cabinet doesn't see the light.

Fuel for consumption tax hits trucks hard. No help. Taxing ethanol, where environmentally friendly vehicles run on corn, works as a deterrent to have it available. Instead, the current government taxes it and, lo and behold, we have four stations selling ethanol. Mind you, I'm not sure the fourth has been announced yet, but I believe that the member from oh, say, Oxford, should be happy shortly.

The job losses aren't just in Oshawa. One of the Magna plants in St. Thomas, whose number one customer is the truck plant in Oshawa, and the thousands of individuals employed there: What's going to happen with them, and all the other feeder plants throughout the province of Ontario?

Premier, we hear about a plan. We hear how first it's a grant, then it's a loan, then it's 50 years and then it's 15 years. First it's \$100 million and then it's \$160 million. Even your minister doesn't seem to know when asked the question. The plan, quite frankly, isn't working.

The Premier is leaving a legacy of change from manufacturing to service. I would not expect that that would be the change he'd want to be known by. The government's job is to create an environment where business can flourish and Ontarians can live, work and raise a family. I may not have all the answers, but working together, we may be able to find ways by which the Ontario sector can once again reign supreme. I ask the Premier to please consider an offer to establish a sector review committee so that we may all be able to keep Ontario's auto sector strong.



## INTERNATIONALLY TRAINED PROFESSIONALS

**Mr. David Zimmer:** I want to emphasize the importance of newcomer integration in Ontario's economy. Internationally trained individuals help Ontario's businesses to compete and function in the global marketplace. Last week we heard from the Minister of Citizenship and Immigration that our government is expanding its bridge training programs. This \$27.4-million investment will help newcomers to transition more easily into Ontario's labour market.

To newcomers in Willowdale, this funding means that they'll be able to enjoy greater access to job-specific training, mentorships, skills assessment and work experience. For example, the \$346,000 investment in CARE—that's the Centre for Internationally Trained Nurses, which is located in Willowdale—will enable the centre to offer language training courses. The Ontario Society of Professional Engineers, also headquartered in Willowdale, will now be able to offer examination skills preparation for internationally trained engineers. These are some of the examples of the 20 different bridge training programs available throughout the GTA.

I've said it before and I'll say it again: Ontario is renowned throughout the world for the diversity of its population. This important investment in bridging programs will help internationally trained individuals, local communities and businesses across this province.

## RURAL ONTARIO

**Mr. Randy Hillier:** Today the Premier skirted my questions on his government's broken promises and rural school closures. He tries to hide from his words and hide from rural Ontario. But, since he won't come to us, rural Ontario has come here to Queen's Park today.

While he sets up his cap-in-trade programs with Quebec, he asks Ontario to go cap in hand to him. Our schools stand as a foundation for small-town Ontario; it's not only a school, it's also the library, the gymnasium and the hub of activity for our communities. This government has attacked our mills, our markets, our church suppers, and now it's our rural schools.

These assaults on our institutions are consistent with the relentless, uncaring attitude of the McGuinty government as our rural culture, our heritage, our economy and our homes find his crosshairs. Success or failure as a society is to know which core values to hold on to and which ones to discard.

This government has betrayed the trust of rural Ontario. We all know it only takes a jackass to kick a barn down, but it takes a carpenter to build one.

## LABOUR DISPUTE

**Mr. Paul Miller:** Yesterday I visited the GGS Plastic plant in Bolton to support Teamsters Local 938 workers, primarily Punjabi women, who are on strike and who are

here in the gallery today. I was appalled by the conditions that these women have faced every day of their six-week strike. The employer is bringing in scab labour to do their work rather than negotiating fairly and reasonably with these long-time employees.

These women have finally reached a pay level that brings them above the poverty line so they can enjoy a bit of disposable income. They have been loyal employees for 10 years or more, and how do they get treated? They are told to take a 20% pay cut, head back to the poverty line and forget the years of hard work it took to finally reach this income level. And when they use the only tool available when the employer is callous, inflexible and won't negotiate a reasonable contract, when they are forced out onto the picket line, what does their employer do? He trucks in scab labour.

This is why we are in desperate need today of anti-scab legislation. Ontario is facing even more of these travesties as we lose so many manufacturing jobs and employers flex their muscles against decent working wages and working conditions.

For the sake of these hard-working Punjabi women at the GGS Plastic plant in Bolton and many more like them around this province, I encourage all members in this House to vote in support the NDP anti-scab legislation that will be introduced later today.

**The Speaker (Hon. Steve Peters):** I'd just like to go back to the statement that the member from Lanark-Frontenac-Lennox and Addington made.

**Hon. Jim Watson:** Resign.

**The Speaker (Hon. Steve Peters):** Minister of Municipal Affairs, I've already warned you once today.

I'd just ask the member to reconsider his last comments. It's not in the standing orders, but throughout parliamentary tradition you can't do indirectly what you can't do directly in a comment that you made. I'd just ask that you would consider withdrawing that comment.

**Mr. Randy Hillier:** I will certainly withdraw.

## SENIORS' MONTH

**Mr. Pat Hoy:** I'm pleased to commemorate Seniors' Month across Ontario.

The Chatham-Kent Senior Information Fair will be held at the Blenheim recreation centre on June 13. It is with great pride that we will gather to recognize and pay tribute to the ongoing contributions of seniors to our communities.

This is a generation that did more with less, made do with what they had, and made personal sacrifices then so we could have opportunity and advantages now.

The McGuinty government is committed to ensuring that Ontario's elderly population enjoys a high standard of living. The 2008 budget provides a new grant to help offset property taxes for low and moderate-income senior homeowners. In 2009, about 550,000 seniors will qualify for up to \$250, doubling to \$500 by 2010. When combined with the existing property and sales tax credits, some seniors could see up to \$1,000 in total tax relief



next year and up to \$1,325 in 2010. Our government is also increasing support for community services like home care, funding more nursing staff and long-term-care homes, and continuing to invest in health care.

Our seniors have made and continue to make important contributions to our province. Our government is on the side of seniors, and we are improving the supports they need to live in safety and with dignity.

### SENIORS' MONTH

**Mr. Peter Shurman:** I'm pleased as well to speak in the Legislature today to recognize Seniors' Month in Ontario. This is a time when we can reflect upon the accomplishments of previous generations and how they built this province into the wonderful place that it is today. It is also an opportunity to reflect on what an aging demographic means for Ontario and both the challenges and the opportunities that are in store for us as our population continues to grey. These challenges will require innovative solutions from legislators.

1510

Unfortunately, an opportunity for innovative legislation was lost last Thursday when the Liberals decided to vote en masse against Bill 78, which would have created a province-wide, provincially administered property tax deferral system for low-income seniors and disabled persons.

During last week's debate, we heard all sorts of ridiculous excuses as to why members of the governing party couldn't possibly vote in favour of that bill, from accusations of, "It's downloading," despite the property tax deferral program being provincially administered. "It favours the rich." Tell that to the old couple in Niagara-on-the-Lake who bought their house after the war but are being forced to sell because they can't afford their assessment rate. "Seniors would rather have the Liberal \$250 than assistance promised by Bill 78." Really? Tell that to CARP, who supported the bill and slammed the government's lip service to seniors.

These lame excuses lead to one conclusion: The Liberals voted en masse against Bill 78 simply because it wasn't a Liberal idea. This government prefers hollow photo ops to actually introducing legislation that does anything for Ontarians. God forbid that the opposition should try to fill the void.

Bill 78 is the latest addition to a long list—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Thank you, and I thank the armchair Speakers as well.

### EVENTS IN AJAX AND PICKERING

**Mr. Joe Dickson:** The municipalities of Ajax and Pickering have significant events commencing this week on Friday, June 6.

In Pickering, there will be the gigantic Rotary Ribfest on Friday, Saturday and Sunday at the Esplanade Park beside the Pickering city hall. This will be a huge success

and attract thousands, and I congratulate their chair, Lon Harnish.

This week also commences Ajax Home Week, the 10 days commencing the largest annual event in the town, under chair Peter Hudson. This is a week we started 38 years ago to say thank you to the people of Ajax from the five Ajax service organizations: the Ajax Kinsmen, Legion, Lions, Optimists and Rotary. Events are free for everyone for over 50% of the items and are free regardless of gender, religion, race, age or personal means.

We promote the town of Ajax regionally and on an international basis and encourage former Ajax residents to return home for a visit.

The week kicks off Saturday at 12 noon with the Ajax Home Week parade under chair Angela Burke. The parade features 50 entries of animals, clowns and, for the first time, the 40-foot Chinese dragon and the Panmasters Steel Band. There's also the special emergency services day featuring the Durham police service helicopter.

We also have the Village Jazz Festival, the Young Singers concert, the Lions Pasta Nite and a multitude of others.

On Tuesday, we see Dee Miller off on her 100-day bicycle Ride for Renewed Strength for Cancer Survivors, and I look forward to speaking to this again next week.

### JACK BYERS

**Mr. Jeff Leal:** I rise today to pay tribute to an exceptional individual from my riding of Peterborough.

Mr. Jack Byers possesses a unique ability to see the good in all youth. He is cognizant of the possibilities they bring to the world they live in. It is because of this desire to see all children succeed that he created the breakfast club for kids. He recognized the fact that children are the product of their environment and, as such, require a helping hand. Since retiring from A&P, Mr. Byers has dedicated himself to the coordination of a breakfast program for students. This has been a 12-year labour of love, during which time he served over 125,000 breakfasts each morning for 185 mornings per year.

The true value of a volunteer comes from the desire to work to help others without seeking public recognition, but public recognition was bestowed upon Jack Byers when he received the June Callwood volunteerism award on April 28, 2008.

Everyone who knew June Callwood knew how hard she advocated on social justice issues for women and youth. She was directly involved in the creation of over 50 Canadian social action organizations. During her lifetime, she worked tirelessly as a volunteer. I know she would have recognized the value of Mr. Jack Byers's efforts on behalf of our youth.

I had the distinct pleasure of being present at that awards ceremony. I was proud of Mr. Byers, who, at age 79, represents what it truly means to be a volunteer in the community of Peterborough.

## HEALTH CARE

**Mr. Phil McNeely:** I am eager to share with my colleagues some exciting news to come out of my riding of Ottawa–Orléans. I had the good fortune of playing host to Minister Smitherman this past Saturday as he announced that my riding of Ottawa–Orléans will receive the first of 50 new family health teams in Ontario.

The McGuinty government has also announced that it will provide a planning grant of up to \$100,000 to develop the proposal and business case for the proposed family health hub that will accommodate the family health team and other health care programs in Orléans.

The Orléans health hub will bring together multiple health care services under one roof, including family health care and a range of diagnostics and treatment services.

Additionally, the minister announced that the Orléans Urgent Care Centre will receive up to \$300,000 in additional funding to boost nursing facilities at their clinic.

This is truly an exciting time and has done much to improve the future outlook of health care in Orléans. Residents will be able to seek necessary medical attention within the community, which will consequently reduce the wait times of hospitals around the region.

Orléans has always been a great place to live and work, and with the addition of this new health care hub, it will assist in maintaining Ottawa–Orléans as one of the best communities in Ontario.

I want to thank all those who worked tirelessly to get better health care for Orléans. Without the support of the front-line workers and community members, this great announcement would not have been possible. Special thanks to Janise Johnston, Sandra MacInnis, Marion Moritz, Robert Paiement and Brenda Johnston.

I also want to extend my thanks to Minister Smitherman for listening to the needs of my community. It has been a long time coming, but health care in Orléans is on the mend.

## REPORTS BY COMMITTEES

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

**The Speaker (Hon. Steve Peters):** I beg to inform the House that today the Clerk received the report on intended appointments dated June 3, 2008, of the Standing Committee on Government Agencies. Pursuant to standing order 107(f)(1), the report is deemed to be adopted by the House.

*Report deemed adopted.*

## SPECIAL REPORT, OMBUDSMAN

**The Speaker (Hon. Steve Peters):** I beg to inform the House that I have laid upon the table a report of the Ombudsman of Ontario, entitled Building Clarity—In-

vestigation into how the Ministry of Government and Consumer Services represents its relationship with Taron Warranty Corp. to the Public.

## INTRODUCTION OF BILLS

## PHOTO CARD ACT, 2008

## LOI DE 2008 SUR LES CARTES-PHOTO

Mr. Bradley moved first reading of the following bill:

Bill 85, An Act to permit the issuance of photo cards to residents of Ontario and to make complementary amendments to the Highway Traffic Act / Projet de loi 85, Loi permettant la délivrance de cartes-photo aux résidents de l'Ontario et apportant des modifications complémentaires au Code de la route.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The minister for a short statement?

**Hon. James J. Bradley:** I will reserve my statement until the time designated for ministerial statements.

LABOUR RELATIONS  
AMENDMENT ACT

## (REPLACEMENT WORKERS), 2008

LOI DE 2008 MODIFIANT LA LOI  
SUR LES RELATIONS DE TRAVAIL  
(TRAVAILLEURS SUPPLÉANTS)

Mr. Kormos moved first reading of the following bill:

Bill 86, An Act to amend the Labour Relations Act, 1995 / Projet de loi 86, Loi modifiant la Loi de 1995 sur les relations de travail.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for Welland for a short statement.

**Mr. Peter Kormos:** The purpose of the bill is to restore the provisions that were incorporated into the Labour Relations Act by the Labour Relations and Employment Statute Law Amendment Act, 1992, and subsequently repealed by the Labour Relations Act, 1995. The purpose of the provisions being restored is to prevent an employer from replacing striking or locked-out employees with replacement workers. The bill allows replacement workers to be used in emergencies.



## STATEMENTS BY THE MINISTRY AND RESPONSES

### PHOTO CARDS

**Hon. James J. Bradley:** I rise in the House today to talk about another step in Ontario's plans to keep people and goods moving across our borders and maintain a strong economy.

Today, the McGuinty government is introducing the Photo Card Act, legislation that would provide new, secure personal identification cards for Ontarians.

We are proposing to introduce an enhanced driver's licence card that would include citizenship information. This would become an acceptable travel document, a passport alternative, for US land and sea cross-border travel.

1520

If passed, our government would also develop a photo identification card for people who do not drive or are unable to. Like the enhanced driver's licence, the enhanced version of this card could be used as a convenient passport alternative.

Each year, millions of US citizens visit Ontario, pumping hundreds of millions of dollars into our province's economy. As many of us are already aware, the United States government recently passed the western hemisphere travel initiative, one of the key recommendations from the 9/11 commission report.

The western hemisphere travel initiative has been implemented in stages. Since January of last year, travellers entering the United States by air have had to present a passport or other accepted secure document proving citizenship. Since January of this year, travellers crossing into the United States by land and sea have been required to show proof of citizenship with their identification, such as a birth certificate. The next phase will go into effect on June 1, 2009, when all travellers to the United States will have to present either their passport or an acceptable alternative.

Our proposed legislation follows close on the heels of recent security improvements to the driver's licence card already in use. Anyone who has renewed their licence during the past few months will have noticed these changes. If this legislation is passed, the proposed enhanced driver's licence would be used in the same manner as the existing driver's licence, but would also include the additional information needed to show Canadian citizenship.

Our government has worked closely with the Canada Border Services Agency to develop this program. We will continue to work with this agency and the US Department of Homeland Security to make this program a reality. We have consulted with Ontario's Information and Privacy Commissioner about the development of the enhanced driver's licence, and we will continue to do so.

If passed, this legislation will make cross-border travel more accessible, saving our economy millions and reducing congestion at the borders.

In Ontario, nearly four million people do not hold a valid driver's licence. Our government understands the proof of identity challenges faced by individuals who in fact do not drive. The reality is that the Ontario driver's licence card is among the most commonly used identity documents in the province.

Proof of identification is frequently requested for everyday transactions, such as opening a bank account or proving age for a senior discount. The creation of a photo identification card has long been advocated by youth, people with disabilities and senior communities.

If passed, our proposed legislation would improve access to the kinds of services and conveniences currently enjoyed by drivers every day. Like driver's licence holders, photo card holders would have the option of enhancing their cards in order to show proof of citizenship for cross-border travel.

Making sure all of these new cards and the existing driver's licence are issued legitimately is critical to combating fraud and identity theft. One of the ways we can accomplish this is through the use of photo comparison technology. This leading-edge technology would help ensure that multiple cards are not issued to the same individual under different identities.

For a number of years, our government has played a leading role in advocating to US officials that they should accept an enhanced driver's licence and photo card as a passport alternative, in order to protect the efficient flow of travel and trade at our borders.

This is about maintaining a strong economy and secure borders. This is about promoting tourism and working with our neighbours. This is about combating fraud and identity theft. This is about keeping Ontario's roads among the safest in North America.

Finally, the legislation we are proposing today is about removing barriers and increasing accessibility for people who do not or cannot drive. This creates opportunity for all Canadians. I urge all members of the Legislature to support this bill.

### SEXUAL HARASSMENT

**Hon. Deborah Matthews:** This week marks Sexual Harassment Awareness Week. This is the second year in which the McGuinty government has recognized this week.

Until sexual harassment and all forms of violence against women are eradicated, we will continue to bring attention to this important issue. Women are still faced with sexual harassment, where we learn, where we work and in our communities. Ontario women have the right to live free from the threat of violence. Women cannot live up to their full potential if they are faced with violence in its many forms: domestic violence, sexual assault and sexual harassment.



The McGuinty government wants to create a better future for women, but to achieve this goal, everyone needs to be involved. That means mobilizing communities, educating individuals and taking action. By recognizing Sexual Harassment Awareness Week, we are raising public awareness of harassment against women, reinforcing public censure of sexual harassment and helping focus community prevention efforts.

Our government is spending more than \$190 million a year to provide a range of services to support and protect women. This includes \$82 million in funding over four years for the domestic violence action plan. The plan aims to change attitudes and mobilize communities to stop violence before it starts by providing better community-based supports, public education and training, by strengthening Ontario's criminal and family justice systems response and by providing better access to French-language service.

As part of the domestic violence action plan, the Neighbours, Friends and Families campaign is a public education campaign geared to mobilizing communities and educating individuals on woman abuse. The campaign is now in more than 140 communities across the province. Kanawayhitowin, the aboriginal adaptation of Neighbours, Friends and Families, is being rolled out in many aboriginal communities.

We have also launched Equality Rules, a multifaceted public education campaign to help eight- to 14-year-olds develop healthy, equal relationships and change the attitudes that perpetuate violence, such as sexual harassment.

More recently, I had the pleasure of announcing the funding recipients of the Promoting Healthy Equal Relationships grants program. These grants support projects that challenge boys and girls to adopt the attitudes and behaviours necessary to having healthy, equal relationships.

To combat harassment and violence in schools, the safe schools action team has been re-engaged. It will focus on ways to improve school safety by making recommendations aimed at preventing inappropriate behaviour such as sexual harassment, homophobia and gender-based violence.

We will also be working closely with our community partners to develop a coordinated plan to target sexual violence.

Violence in the workplace is a key concern for our government. In fact, June 2 is the anniversary of Theresa Vince, who was murdered by her workplace supervisor. The death of Lori Dupont was another senseless tragedy. I offer my sincere condolences to the families of these women.

Our government has invested nearly \$6 million in training thousands of professionals to help them better identify women at risk of violence. We are in the process of training 1,500 physicians and nurses in emergency departments to better detect early signs of abuse and to provide appropriate information and support. Under the Occupational Health and Safety Act, all employers are required to take every precaution reasonable in the

circumstances to protect the health and safety of workers in the workplace. Further, a Ministry of Labour workplace violence prevention web page now links to the Workplace Safety and Insurance Board's violence prevention website. The website provides workers and employers with important workplace violence prevention resources and information.

I encourage my colleagues and those across the province to visit the Ontario Women's Directorate website for resources that will help them raise awareness in their communities. There you will find resources and information about sexual harassment and its prevention. It can be found at [www.citizenship.gov.on.ca/owd/](http://www.citizenship.gov.on.ca/owd/).

Progress has been made on ending violence against women, but there is more work to do. The McGuinty government is determined to do more for women. With our community partners, we will continue our efforts to keep Ontario women safe now and in the future.

**The Speaker (Hon. Steve Peters):** Responses?

1530

## SEXUAL HARASSMENT

**Ms. Laurie Scott:** I'm pleased to respond on behalf of the official opposition to the statement by the minister responsible for women's issues and to acknowledge the PC caucus's appreciation for increased awareness and zero tolerance for sexual harassment.

It's important to recognize that sexual harassment is a crime and even more important to equip women with the education needed to enable them to protect themselves from crime. I don't think that I need to remind the minister, as well as a number of the ministers and the Premier, that Sexual Harassment Awareness Week began yesterday, June 2, which was the anniversary of the murder of Theresa Vince, who was murdered by a workplace supervisor. It began yesterday, when the Premier and the minister responsible for women's issues felt it more important to be out of the province of Ontario, so it kind of shows where the priorities are in the Liberal government.

*Interjection.*

**Ms. Laurie Scott:** Well, it's true.

Nearly two years ago, the member from Chatham-Kent-Essex received full support from this House on the second reading of Bill 110, which would recognize in legislation the first week of June as Sexual Harassment Awareness Week. I don't believe that it's ever seen the light of day again under the McGuinty government.

The minister said in her comments that there is more to do, so I do want to acknowledge my colleague from Durham, who just recently received support from all sides of the House on his bill, Bill 10, to better protect victims of domestic violence, which is in recognition of the tragic death of Lori Dupont. I hope that this minister and this Premier are going to ensure that Bill 10 is a priority and move it forward through committee and through third reading and passage into law, in order to better protect victims of crime.



My colleague from Nepean—Carleton has also stood for victims' rights and raised the issue of polygamy and its damaging effect on women's rights and gender equality, and we, on this side of the House, encourage the minister responsible for women's issues to talk to her Premier and her cabinet colleagues and address the rights of victims in this province.

#### PHOTO CARDS

**Mr. Frank Klees:** In response to the Minister of Transportation's announcement that the government intends to move forward with an enhanced licence for Ontario residents, I want to say at the outset that we certainly support the initiative. What we are concerned about is that we address the privacy issues. Our privacy commissioner has indicated some concerns regarding the technology, and I'm certain that those consultations are taking place, and that will ensure that this technology will, in fact, protect the private information of our citizens.

I am concerned with some of the challenges that the ministry seems to have in terms of managing information. I raised the issue, on a couple of occasions in the House, of information regarding driver's licences and the access of that information by the Ministry of Transportation. I'm not convinced, at this point in time, that the minister has a full handle on that. I had asked him to have that department of his ministry investigate it and that he personally take an interest in it to ensure that this very vital information that his ministry has access to is properly dealt with and is protected.

Now, we lay on top of that this new project. The minister has his hands full, or the people who are responsible for implementation certainly will. We'll be watching very closely to consider and to see whether or not the funding for this project is, in fact, there and that the appropriate safeguards are being taken.

I want to take this opportunity to commend the Prime Minister of this country for his initiative in convincing the United States of the importance of this enhanced driver's licence facility as well. He, at least, understands the importance of some \$1.9 billion of two-way trade daily between Canada and the United States, and that the security issues and backups that we have at our borders are negatively impacting our economy, not to mention the high tax rate of Ontario that the Premier seems to be ignoring. So while the Minister of Transportation is working on de-blocking the borders, perhaps he can also try to convince his Premier that the same effort should be made to make Ontario an attractive place for businesses to come. He can start that by reducing the corporate tax rate here in Ontario, which is the highest in North America.

#### SEXUAL HARASSMENT

**Ms. Andrea Horwath:** In response to the minister responsible for women's issues, 12 years ago, on June 2,

1996, Theresa Vince, 56 years old, was shot to death in the Chatham Sears store where she had worked for 25 years. Theresa was shot by her store manager, Russell Davis, who then turned the gun on himself. Vince was a wife, mother and grandmother, and was in fact to retire from Sears that very month.

Sexual harassment was a factor leading up to Theresa's tragic death. Theresa Vince was the company's human resources supervisor, and she had actually filed a sexual harassment complaint against her store manager, Russell Davis, in January 1995.

On November 12, 2005, nurse Lori Dupont was murdered by her ex-partner at the Windsor hospital where she worked. Again, sexual harassment was definitely a factor.

In Theresa's situation, 17 months after she filed her sexual harassment complaint, she was dead, killed at work.

After both of these tragedies, inquest juries deliberated and they came up with very concrete recommendations, steps that we could actually take in Ontario to enhance the safety of women and improve the government's response to the serious issue of sexual harassment.

I have to tell you, as community members gathered yesterday in Chatham and Windsor to mark another painful anniversary, there is an ever-present and growing focus on having Ontario adopt solutions that treat harassment as the crime that it is. Occupational health and safety websites, WSIB websites, simply do not cut the mustard. Websites are not good enough. You have to take this off the nebulous realm of the World Wide Web and put it where it belongs, which is into legislation that affects the workplace, like the Occupational Health and Safety Act. In fact, on behalf of Ontario's NDP, I introduced Bill 29, legislation that would place harassment in all its forms under the Occupational Health and Safety Act and would prescribe remedies for eradicating the harassment and protecting the harassed employee.

Notwithstanding what the minister says—I don't think she understands, and she can talk to her colleague the Minister of Labour—you cannot file a work refusal based on sexual harassment in the workplace in Ontario today. You can do it in Quebec. You can do it in many other jurisdictions around the world. But in Ontario, you cannot do it.

Those juries indicated very clearly in black and white, and I can send her those recommendations, that the Occupational Health and Safety Act needs to be amended so that workers who are being harassed in the workplace have, on any of the grounds available to them, remedy in the right to refuse. Because just as other kinds of incidents in the workplace like toxins or workplace procedures or processes or machinery can be a danger to workers, so can sexual harassment and other forms of harassment.

The bottom line is that workers do not have the ability or opportunity to indicate to their supervisor or to their shop steward that they are being harassed in the workplace and so they want to file a refusal to work. Those



work environments where harassment is taking place are just as toxic, harming and damaging to workers as any of those other kinds of workplace situations that I indicated.

In Saskatchewan and Quebec, they absolutely already have this legislation. We know for sure that Ontario is far, far behind on this file.

To the Premier, the minister, the previous minister and every one of the members in this House, it's time to get our act together and start to put those amendments forward in the Occupational Health and Safety Act. It's not a matter of what I recommend as a member here; it's not a matter of what I say getting up year after year, pretty much every year that I've been here, speaking about these issues. It's a matter of getting our nose to the grindstone and putting those amendments in place so that there are real protections for workers, so no more Theresa Vences and no more Lori Duponts have to go to work knowing and expecting harassment that could ultimately end up in their death. That's absolutely unacceptable in the province of Ontario. I call on the minister to put those changes in place.

#### PHOTO CARDS

**Mr. Gilles Bisson:** To the new Photo Card Act that has been introduced today by the minister, I look forward to the work that we're going to be doing on it both at second reading and in committee. I think it responds to a number of issues in regard to entrance into the United States and where we're going to be in 2009, when it becomes a requirement for people to have ID such as passports and others to cross the border. Certainly we need to do something in order to make life easier for people.

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I also noticed in this particular act a couple of things that are going to happen that I think at the end could be a good thing. One is the issue I've been raising in this House in regard to the case where a person in Kingston was reissued a driver's licence; he'd either applied fraudulently or there was an error. This particular act could deal with that, and I look forward to that. But I also noticed that we're going to be giving basic and enhanced cards to people so they can use them as a method of ID without a driver's licence. I want to thank Michael Prue for having raised this issue before and look forward to the work that is going to be done on committee on these issues.

#### NOTICE OF DISSATISFACTION

**The Speaker (Hon. Steve Peters):** Pursuant to standing order 38(a), the member for Beaches–East York has given notice of his dissatisfaction with the answer to his question given by the Minister of Community and Social Services concerning the adequacy of ODSP rates. This matter will be debated today at 5:45 p.m.

#### OPPOSITION DAY

##### RURAL SCHOOLS

**Mr. Robert W. Runciman:** I move that, whereas Ontario's rural schools are the hub and heart of their communities; and

Whereas, in September 2007, the McGuinty Liberals promised they would keep rural schools open because, in the words of Premier McGuinty, "For rural kids, few things are more important than being able to go to school in your own community, with your own friends. Rural schools help keep communities strong, which is why we're not only committed to keeping them open—but strengthening them"; and

Whereas, in less than nine months after the Premier made this promise, over 50 rural schools are slated for closure;

The Legislative Assembly of Ontario calls upon Premier McGuinty to suspend any and all board-recommended rural school closures until both the funding formula review and a thorough assessment of alternate uses for rural schools have been completed.

This is addressed to the Premier of Ontario.

**The Speaker (Hon. Steve Peters):** Mr. Runciman has moved opposition day number 4. Mr. Runciman.

**Mr. Robert W. Runciman:** This is an important debate. Rural, small-town Ontario is under siege and this Liberal government seems unwilling or unable to come to its aid.

Since July 2004, we've lost over 207,000 manufacturing jobs in Ontario, many of them in smaller communities, which also impacts surrounding rural areas. The government's response to the job crisis is essentially, "Don't worry; be happy. This too shall pass." That attitude of complacency is in many respects even worse when it comes to the closure of rural schools. I say that because of comments and promises made by Mr. McGuinty over many years, up to and including last year's provincial election, when he said he would not only save rural schools but he would strengthen them, no ifs, ands or buts—a clear, unequivocal promise. Eight short months later, with a re-election victory and a majority government in his pocket, over 50 rural schools are slated to close, with many more on the chopping block.

The man who likes to describe himself as the education Premier: What's his reaction? His reaction is silence—utter and complete silence. He simply refuses to answer questions in this House, and we saw another example of that today. He refers them to his Minister of Education, who dispenses the usual party spin: a touch of baffle-gab, along with a dose of blaming others. Of course Premier McGuinty can't stand up and answer, because he would once again be exposed as someone prepared to say or do anything to get elected, and when successful, betray that trust with the contemptuous and cynical view that voters will forget.



It is an approach all too common in politics, one that has brought disrepute to people serving in public office and one that Mr. McGuinty has set a new standard for, not one to be proud of. We all remember his no-new-taxes pledge and at least 50 other broken promises in their last term.

Another cause of lack of respect for parliamentarians that's endemic in this Liberal government is the acquiescence of Liberal backbenchers to any and every breach of promise or offensive decision taken by the Premier and his cabinet. We saw that recently with the suggestion that the Lord's Prayer be removed from our proceedings and that the government will start funding sex-change operations. On those pronouncements, the Premier and his minister never even consulted their own caucus, let alone looked for approval. Like everyone else, they were blindsided. That's much more than being taken for granted; that's contempt. That's disdain for the role of backbenchers. But if it bothers them, it's never reflected in votes. We hope that changes today.

Prime Minister Trudeau once said that backbenchers were nobodies once they left the Hill. Well, Premier McGuinty has refined that: Government backbenchers are nobodies even when they're in this Legislature. That can all change, and it can change today, with Liberal MPPs representing rural ridings finally standing up to their autocratic, arrogant and condescending leadership and instead standing up for the good, hard-working people who put them in office, their constituents.

The vote today is not draconian, it's not partisan; it's calling for a fair shake for rural Ontario, a moratorium on closures until an appropriate funding formula is developed and a plan is put in place to develop alternative uses for school properties facing closure—alternatives that will minimize or eliminate the collateral damage that flows from a closure: property values dropping; banks, grocery stores and gas stations closing.

A few weeks ago, the Ottawa Sun ran an outstanding piece on the rural school issue. I have the front page of the paper with me: "The Final Bell: Despite a pledge by the McGuinty Liberals to save rural schools, they're being closed at an alarming rate, leaving communities broken and dying." That line truly sums up the situation: "leaving communities broken and dying."

The article references the Rideau Lakes village of Delta and the erosion of its economy following the closure of its elementary school: property values down 19%; three restaurants, two gas stations and a bank all closed in the wake of that school closure, along with other amenities available to the community. That's the reality of school closure impacts in small rural communities.

This is an opportunity—

*Interjections.*

**Mr. Robert W. Runciman:**—including the members interjecting here today—for rural Liberal members to join with us, to do the right thing. Show that you believe in the promise that Mr. McGuinty made during the election campaign. Show that the students of rural Ontario are not out of your sight. You see them every day.

They're our sons and daughters, grandchildren, neighbours and, most importantly, our constituents.

The students of rural Ontario are not out of our sight or mind. We in the Progressive Conservative caucus are always mindful of the fact that our job here as representatives is to represent the people of Ontario, no matter how far away from downtown Toronto they might live. The students of rural Ontario will never be out of sight or out of mind on this side of the House. We will fight to keep those schools open, so help me.

The official opposition, the Progressive Conservative caucus, will keep standing up in this House and keep this issue on the front burner. The Premier may want to keep the students of rural Ontario out of sight and out of mind, he may want the residents of rural Ontario to forget his spurious promise to save and strengthen schools or his counterfeit concern for the well-being of rural communities, but he won't get away with it as long as we are here to stand up for them. He won't get away with it.

Today, Progressive Conservative MPPs will be voting for the students of rural Ontario. To my colleagues from all parties, whether you represent rural Ontario or not, remember this: Our job here is to represent all Ontarians, even the students of rural Ontario and the communities they live in. Colleagues and friends, it's time to stand up for students, to support education and to keep those rural schools open.

**The Acting Speaker (Mr. Ted Arnott):** Thank you very much. Further debate.

1550

**Mr. Rosario Marchese:** I'll be sharing my time with my colleague from Hamilton East-Stoney Creek. I want to welcome the citizens of Ontario to this political forum. We're actually on live in the afternoon, as well in the morning at 9:00 when you get up, bright and early, fresh with your coffee in hand. Now fresh with your beer in hand and popcorn, it's 10 to 4. We are on live.

*Interjections.*

**Mr. Rosario Marchese:** You've got to get it on channel—I don't know; here in Toronto it's 105. You've really got to go up to get it. In some places you can't. I'm sure it's a program that a lot of people would like to see if they're not able to see it. I'm sure of it because there are so many great speakers here in this House.

Speaker, I want to tell you I support this resolution by the member from Leeds-Grenville and—

**Hon. Jim Watson:** Oh no, Rosie.

**Mr. Rosario Marchese:** I do. And I'm going to hurt them a little bit and I'm going to hurt you a little bit, too.

*Interjections.*

**Mr. Rosario Marchese:** No, because I like distributing the weight around a little bit in the entire House. I have grown fond of the Conservative Party in opposition, I have to admit.

*Interjections.*

**Mr. Rosario Marchese:** I do. I have to admit this because, when they were in government, I've got to tell you, I had no love for Mike Harris whatsoever. I had no love whatsoever, not even any warm feelings towards



him—not much. And in terms of how they governed, God forgive them. I'm telling you, it was tough.

I recall Liberals saying, “Break ranks from Mike Harris” on this and that issue—as if you could ask Liberals to break ranks. They're not going to do that, right? They're not going to do that. Tories didn't do it, Liberals are not going to do it, and most New Democrats didn't do it either, except we had some folks with some intestinal fortitude from time to time who did do it. But on the whole, asking Liberals to break ranks just doesn't work. It doesn't make any sense because nobody does it.

So I tell you, no fondness for Mike Harris—God bless him, wherever he is. I'm sure he's doing well on whatever board he's sitting on, making some good bucks, left with a fairly good buyout, leaving the rest of us here alone, fending for ourselves. God bless him too in that regard.

But I have to say, on this resolution—

**Interjection:** There are others with buyouts.

**Mr. Rosario Marchese:** This is true. Some people did well. Some people did very well.

**Mr. John Yakabuski:** Including you; you got some.

**Mr. Rosario Marchese:** I was the youngest of the group. If you were a young member of that cabinet crowd, you didn't get much. The ones with experience, long experience in cabinet and serving a lot of years in this place, did okay, leaving the rest of you newcomers to fend for yourselves—little, next to nothing.

But with respect to this resolution, it's reasonable, I have to admit. It's not often I agree with Tories. I have to admit that too, publicly. I know the Liberals want to have us collude on many issues. I understand why you would do that. But on the whole, we are in polarity most of the time politically; you know that.

But on this one, when they say, “The Legislative Assembly of Ontario calls upon Premier McGuinty to suspend any and all board-recommended rural school closures until”—here's where it gets even more reasonable—“both the funding formula review and a thorough assessment of alternate uses for rural schools have been completed,” it's going to be very difficult for Liberals to disagree, because it is eminently reasonable. It's tough when you say that of Tories, a resolution being eminently reasonable, but it is.

I have to put this in context because I got a few quotes from mon cher ami M. McGuinty. I know it's hard for Liberals to hear these things because they said a lot of things. They did. And now, of course, in government, they hate to hear it. They hate to hear themselves heard.

**Hon. Jim Watson:** Rosie, did you support the social contract?

**Mr. Rosario Marchese:** Oh, dear, you've got to go all the way back there, too? Pretty soon you're going to go to Confederation, for God's sake. Come on.

Here's what mon ami Dalton, the Premier, said on October 22—it's not news to you, but just to refresh in your mind. Dalton McGuinty said to the then Premier, “Premier, I'm sure the people of Ontario are going to want to know the basic difference between you and me

when it comes to school closures. Here is the difference: You took \$2.2 billion out of public education, forcing school closures. We are going to invest \$1.6 billion in public education to enable small communities to keep the rural schools open. That is the fundamental difference,” said mon ami McGuinty in this place.

*Interjections.*

**Mr. Rosario Marchese:** The Liberals acknowledge that he did say that. Okay. Let me quote further: October 22, the same day. God bless. “But we on this side of the House,” meaning he and the Liberals, “in this party,” meaning the Liberal Party, “happen to value smaller communities and rural Ontario.

“I ask you once again, why is it that you continue to have in place a funding formula that is biased against rural schools in small-town Ontario?” he said. It was a very reasonable statement that he made and it was a reasonable question.

**Mr. John Yakabuski:** Who said that?

**Mr. Rosario Marchese:** Mon ami M. McGuinty, the then leader of the opposition Liberal Party. But there's more.

**Mr. Khalil Ramal:** We have a different structure now.

**Mr. Rosario Marchese:** No, no, there's more. He asks, “Why can you not agree to put a moratorium on any school closures at this time, until such time as the funding formula has been fixed?” Sounded reasonable in 2002; seems eminently reasonable in 2008.

He goes on. Everybody—

*Interjection.*

**Mr. Rosario Marchese:** Pardon?

**Hon. Madeleine Meilleur:** The funding formula has been fixed.

**Mr. Rosario Marchese:** The funding formula has been fixed: I'll get to that in a second.

“Everybody knows that repairing the funding formula is going to entail putting more money into public education.” And you have—

*Interjection.*

**Mr. Rosario Marchese:** I'll get to that in a second.

“Why would you not agree that the sensible thing to do in the circumstances is delay closing any schools until we've had the opportunity to fix your broken funding formula?” Sound familiar?

Let me go on. This is October 8. I should have gone the other way, but it doesn't matter. Monsieur McGuinty asks, “Why would you not place a moratorium on school closures until you've had an opportunity to fix your broken funding formula?”

There is more. On June 10, 2002, Monsieur McGuinty again asks, “Will you put a stop to school closures that are being driven not by a desire to improve learning but rather by a desire to save money at the expense of learning?” Again, sounds eminently reasonable, almost intelligent. That's why he became the education Premier. And he asks some tough questions on education. Oh, if uttered by a New Democrat, as we have, or a Tory, as they have—God bless them, because they sound reason-



able in opposition, as I was saying earlier. If uttered by us, we get laughed at by the government, but when uttered by Liberals in opposition then, they presumably sounded intelligent, except until you get into government, and then it changes.

I've got one final one on June 10: "It is your funding formula that is driving school closures in the province of Ontario. They're here to ask for your help. They want to know whether or not you're going to help them. These are good schools where good learning is taking place. Your funding formula is closing small schools in particular, where studies are telling us very good learning is taking place."

I needed to put that on the record. It ought to teach us, in opposition, because we all go around this circle here eventually.

1600

If you're brave enough to say certain things in opposition, you ought to be brave enough to say them when you're in government, to keep the promise vis-à-vis your statements and your questions. If you don't do it, you look bad, you sound bad, you are bad. It doesn't cut it to say, "No, but we Liberals are different. The Tories were bad and everybody knows that, but we Liberals are different because we fundamentally, innately, are better. It doesn't matter what we say, what we do, as Liberals we are innately, philosophically, ideologically"—by the way, you have no ideology but I shouldn't have said it—"better than the rest of you Tories and New Democrats."

That's what I have difficulties in and with as an argument. It seems that they can argue anything, as the minister does—and I like the minister; this is not the issue. The minister then provides a multitude of rationales for it. She says, "We have lost thousands of students in the system." That becomes the rationale for everything they do, good or bad. In fact, she doesn't even say they're doing anything. She argues, "We're not going to take the right of any school board to do what they need to do. If they need to close schools, that is a right of school boards, and we don't want to interfere."

But Monsieur McGuinty had no problem demanding that the Tories have a moratorium; that they do a funding review before they closed any schools, in particular rural schools. He had no problems with it. So when you're in opposition, it's okay; when you're in government, "Oh, we don't want to interfere with school boards, oh no, because it's an inalienable right. We wouldn't take that right to close schools away." God bless. God knows. That's something they have been elected to do, and if they close schools, then that's something they have to do.

The problem we've got is that the current provincial funding formula does not sufficiently recognize or fund the unique needs of northern Ontario. Yes, the Liberals have done a few things here and there, and they make them sound like they are huge, as if they saved the northern Ontario community or saved all of the northern Ontario schools. They are unique, and what makes them unique is geography in particular, but it speaks to the unique problems they face, not just in terms of geo-

graphy, not just in terms of lacking the specialist teachers and lacking access to special education, and yes, even today, fewer full-time principals. The large geographical area makes them very special in terms of why we need to intervene as governments to make sure that rural schools keep open.

We accept that declining enrolment has happened. We understand that. The question is, do you accept it as a challenge to do positive things or do you use it as an argument to close schools? It seems to me that the government has chosen the latter. It has become an argument to close schools, not an argument to say, "It is a unique opportunity for us to review how it is that we save small schools."

I said to the minister, in a question that I put to her just last week, why would you not talk about the fact that you cut \$60 million of the declining enrolment grant just last year? Why wouldn't you speak to that? I say to you, 60 million bucks is a whole pile of money, and that was designed to allow boards to deal with declining enrolments. The Tories did it—

*Interjection.*

**Mr. Rosario Marchese:** I know.

**Hon. Kathleen O. Wynne:** They didn't have declining enrolment; neither did you.

**Mr. Rosario Marchese:** There was a declining enrolment grant. They did that, to be fair to them from time to time. The Liberals continued with the declining enrolment grant, because presumably they too understand that if there's declining enrolment, you've got to help with the grant. But not once did the education Premier or the minister say, "We've had to cut the declining enrolment grant." They often refer to the \$420 million or \$460 million. They throw out numbers, neglecting to say that the large bulk of that funding is simply to pay their collective agreements with teachers at the secondary and elementary levels and to pay the collective agreements with non-teachers. The bulk of that money is to make sure the collective agreements are paid. You would expect that you would flow money to pay the bills.

The remaining money is to pay for the promise they made, which is to cap the primary grades—under grade 3—at 20. To a large extent, that promise has been kept. There are still lots of schools that don't reach the capping promised by the Liberals, but that was a very expensive promise. That promise, plus paying for the collective agreements that were negotiated by this government—mostly, generally—that's where most of the money goes.

But do you Liberals know the chaos we have in all of our boards across Ontario—not just in the north, but across Ontario? Do any of you Liberal MPPs understand what kinds of pressures boards are under? My sense is that you don't, and those of you who do are zipping your mouths, and hoping that you're never quoted by anyone or asked by a newspaper to speak to any particular problem that your board may be having. If you did, you would have to dissemble by way of a response, because there is no proper response to the fact that most boards can't balance their budgets.



The Toronto Catholic District School Board, whatever you or others might say about some of their expenditures, which is a separate matter in terms of how the board and the minister is dealing with that, whatever you might say about that, the way that they're dealing with their deficit is by cutting 83 teachers—

**Interjection:** It's 85.

**Mr. Rosario Marchese:** You have to be accurate—85? They are cutting educational assistants, those who work with primary teachers—

**Interjection:** EAs?

**Mr. Rosario Marchese:** Educational assistants, otherwise known as EAs. They're cutting youth workers. They work with troubled kids, kids at risk.

It's a very convenient thing for the government to have a board—this particular board—be embroiled in another problem, because it conveniently gives the ministry, the minister, mon ami M. McGuinty and all of the Liberals a way out of that problem, and then the public can say: "Oh, look at all the problems that this board has. Look at all the money they're wasting here and there. No wonder they've got a deficit."

Nah, they're two separate issues. The expenditures are not excusable. The government has made that clear and the public has made that clear, but in terms of the deficit, it's a separate matter.

We were talking \$11 million, \$12 million, \$13 million, \$14 million, and they can't make ends meet, so they are firing 85 teachers, beyond what the enrolment requires—so says the teacher federation representing teachers. And they're firing youth workers and educational assistants. How can the government, the minister and the Premier be happy to accept those kinds of cuts? Oh, because they're required by law to do so? Yes. But is it right? Ah, but does that not speak to the millions of dollars the government is giving? If the government is giving all those huge amounts of dollars, why is this one particular board required to fire teachers and assistants and youth workers? Why?

Maybe the government has a different kind of option to propose to the boards by way of what it is that they could cut. But how can the government sit there content that they're balancing the budget on the backs of people who are desperately needed in the educational system? How could you feel good? How could you justify it?

1610

Then, hearing a report on the CBC—"The government hasn't yet declared whether or not they are going to take the school board over." Sorry, take the school board over? For what? They already made the cuts. They already have done the dirty work for the government. Why would the minister take over a board at a time when the board has made the cuts and has done the dirty work for the government? It's silly when the arguments are made that the government hasn't yet made up its mind as to whether or not they're going to take the board over. It doesn't make any sense. Why would they take them over? Speaker, you understand; you've been here for a while. No government is going to take any board over,

because to do so would be to accept the responsibility for the cuts. Not doing so says, "Well, you know, it's not my problem." The government can argue, "It's not mon problemo. The problem is with the board. Boards have to decide how to balance their budgets, and if this is what they do, that's what they do."

So I argue with any citizen watching this political program: Does it sound like a government that's giving adequate dollars to our boards—southern, northern, eastern and western—to be able to balance their budgets without hurting teachers and our students? I argue they're not.

So we say, with respect, and with respect to school closures, that there has to be a better way. Schools are an important hub for a great deal of community outreach and community work. Schools are a part of how economies grow in those small communities. We all know that. Even Liberals know this. They made those very arguments in opposition. Schools are for community use after school, and northern schools are used for community use after school. So why would we not be creative? Why wouldn't we use it as an opportunity?

When the minister agrees with People for Education, as they propose that we have to become more creative and we have to look at ways of keeping schools open—and People for Education argue that we have to integrate services better; i.e., not simply use schools from a Minister of Education perspective and forget all of the other uses of a school. So we say, why couldn't we use schools and have parenting centres in them, child care centres, community kitchens, public meeting space, even public libraries, health clinics? They all add to the life of a school and strengthen the community sense of connection to their local schools. If that is true and if the minister thinks it's a good idea, then how fast are we moving toward that goal?

This is why I said to the minister, quite apart from what the Tories said in the past, you're doing a review of your funding formula in 2010; by that time, most schools will be closed. If you're going to do a review, do it today. Don't wait until 2010, because by then most of the schools will have been closed. At least 50 school closures have already been recommended, and many reviews are not yet complete. More recommendations for closures are inevitable. Therefore, I argue, like the Tories, put that on hold.

The minister has put together a little group to do the review. Good. God bless. Are there any timelines? We don't have a clue. Why aren't there timelines? Because, I submit to you, as lawyers would say, they have no interest in saving schools. They want school boards to move on school closures quickly, make the savings, and then, by 2010, be able to recommend something new and a new direction for the government, so that as they head into the next election, they have a new proposal: "This is how we're going to save schools from now until the next four years," as you fine people elect you fine Liberals for another four years. That's the plan.



If that were not the plan, the minister would do the following: Tell the working group that by the time we come back—maybe in September; it's hard to say—we're going to have a recommendation that deals with this problem, and we're going to review the funding formula by September so that schools have a better sense of what might be coming by September. If we do not have that commitment, it is very clear to me that they have no interest in taking up the challenge of saving small schools.

New Democrats say, "We want to save as many schools as we possibly can." Some schools we cannot save; I admit that. Some schools may be just too small to save. But what strategy do we have to save most schools? That's the argument. There is no strategy. That's the problem: We don't have a strategy.

Northern schools provide space free of charge to community groups. It's the only place, in some cases, where local communities can assemble. The high number of small communities and the great distance between those communities make the provision of adequate transportation service a constant challenge for northern schools. Transportation has been a problem for years. This government has promised to do a transportation review for years.

I remember mon ami M. Kennedy, who said he did a review, and I said to him, "Gerard, with all due respect, you've already made up your mind. You took some money from some boards and gave it to other boards." That was the extent of his review on transportation. "Oh, no," he argues in this place. "Everybody got an increase." "Of course you did, Gerard. You gave every board a 2% increase. That doesn't make it any better." What you did, by way of what the minister then did, is to take money from some boards and give it to others. Does that sound to you, Speaker, who have been here in this place, like much of a plan or strategy, stealing from some to give to others? It doesn't sound like much of a strategy. You're stealing from one group to give to the other group.

I argue, if you're going to do a review, make sure you do it fairly for everybody. This is not about taking from the rich to give to the poor. We have one public system here. It's about fairness for all. It's not like we've got loads of money in one area and less in the other. We've got a funding formula now that's supposed to treat everybody equitably, and everybody is getting equitably whacked in Ontario.

When you close schools in northern Ontario, transportation becomes a serious disaster. Some kids have to travel for hours—two or three hours. Maybe they're walking, running or using Rollerblades on those northern boards; I don't know what they use to get around, but it's tough. Maybe some kids still use horses to get around; I don't know. It's tough to get around. You can't close the schools. If there are only 25, okay, it's a problemo. If it's 50 or 60 or 70, it's a problemo. But you've got to use this as an opportunity to be able to save schools, use them as a hub and make sure you coordinate services with other

ministries to be able to save those schools and save those communities.

It's for those reasons that I support this resolution.

**Hon. Kathleen O. Wynne:** It gives me great pleasure to have an opportunity to speak to the opposition day motion, which I think is fundamentally based on assumptions that are not true.

I want to first of all acknowledge the importance of our publicly funded education system. Every school obviously has a school community surrounding it. When there's change, there's always the potential for concern and turmoil. Both the elementary and the secondary schools that I attended in what was the small town of Richmond Hill are no longer housed in the buildings that they were housed in. There is always change; there's constant change. But in the end, as I've said before, those local program decisions must rest in the hands of the boards of education. It is impossible for the Ministry of Education at the corner of Wellesley and Bay in Toronto to make decisions about schools in northern Ontario, in rural Ontario, in other urban centres, so we have been, since we came into office, committed to supporting school boards in those decisions.

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When we first came into office, we put a moratorium on school closures for two years while we did exactly what the members opposite are asking us to do now—we have already done it. If we look at the funding changes, we have made significant funding changes. We've increased funding to rural schools by \$632 million. Had we not changed the funding formula, rural schools would have had to cut \$650 million from their budget. So in fact, we have significantly changed the funding formula.

The other things we've done have been to introduce a school foundation grant. That guarantees that all schools that boards deem to be viable will have a principal and a secretary. That's the board deciding that the small elementary school in Sioux Narrows, which has 16 students, will have the leadership that it needs, as the 1,900-student elementary school in my riding of Don Valley West will have adequate administration. We put that school foundation grant in place to allow boards to have that administration and secretarial support in all of their schools.

We also introduced the supported schools grant, which means that the 300 most remote schools—those are northern and rural schools—receive a special grant of \$63 million. That allows those rural and remote schools to have extra staffing in order to be able to deliver programming.

What all of this means is that our smallest schools—as I said, we have schools in Ontario that are fewer than 20 students and they are viable. They are in place because boards have deemed that it is too far for those little children to go to the next town for those early elementary years. Those schools are supported and those boards are buffered against the declining enrolment that we are seeing across the province. We've changed the funding formula to put those buffers in place.



The second thing we've done is that we've put in place pupil accommodation review guidelines to allow boards to assess the value of schools to their communities. In the process that is in place now, we asked boards to assess schools according to the value of the school to the student, the value of the school to the community, the value of the school to the school board and the value of the school to the local economy. So we've actually put in place the kind of assessment mechanism that the members opposite are asking for. That has already been done.

The thing that has not yet been done—and I have to say it was not done by the New Democratic Party and it was not done by the Progressive Conservative Party—is to have a rational discussion about how we deal with the fact that demographics in Ontario are changing. We all know that people my age and a little older, the baby boom generation, are aging. We are not being replaced in the population to the extent that we would need to be in order to keep every single school in the province open and not have that demographic shift. We have not had that discussion.

So I have set up a declining enrolment work group, led by the member for Brant, Dave Levac, who was a former educator and who lives in a rural and urban community. He's going to be working with Eleanor Newman, who is a director in the eastern part of Ontario. They're going to be looking at the kinds of recommendations that, over the long term, will allow us to plan for the decline in enrolment.

The member from the third party talked about schools as hubs. He didn't use that language, but that is the language that we use, starting with our Best Start program, where we have child care spaces located in schools. I've asked the declining enrolment work group to look at the alignment of school board cost structures with reduced enrolment and to look at the other agencies and the other ministries of the government that might have a role to play. These entities will include, but are not limited to: municipal government, so that could be public libraries, it could be other municipal services; provincial government services, so that could be health centres, it could be other services that are provided by the provincial government located in schools; and volunteer organizations, so other community agencies. So in fact we are asking this group to help us develop a plan that will look at the opportunities in our schools.

I want to share my time with other members of the caucus, but I want to close with a quote from the Brockville Recorder and Times, which I believe is a news outlet that the member—

*Interjection.*

**Hon. Kathleen O. Wynne:** That's right—that the member for Leeds–Grenville is familiar with. I think he's familiar with it. What this editorial said is:

“As enrolment continues to decline, Ontarians need to disabuse themselves of the notion that closing a school is bad for education. We've seen two examples in Leeds county in recent years where arguably students are better

served after school closures, since they are now housed in far better facilities, namely Meadowview and Thousand Islands elementary schools.

“Facilities such as libraries, gymnasiums and science and computer labs are likely to be vastly improved when students are moved to schools that are somewhat larger.

“Premier Dalton McGuinty is correct when he argues that academic achievement, rather than the number of buildings, is the real measure of the province's school system.

“In fact, the money needed to keep open half-empty buildings would be far better spent in the classroom. It's the children, not the buildings, that matter most when it comes to education.”

It gives no one in our government pleasure to cause distress in communities. What we want is the best programming for our students. We want programming that's going to allow our students in our publicly funded education system to be the best citizens that we can have in this province. That's the work that we're doing on this side of the House.

**The Acting Speaker (Mr. Ted Arnott):** Before I recognize the member for Burlington, I wish to inform the House that the member for Beaches–East York, who previously had indicated an interest in an adjournment debate this evening, has withdrawn that request. So there will not be a late show tonight.

I recognize the member for Burlington.

**Mrs. Joyce Savoline:** I'm pleased to follow my colleague from Leeds–Grenville and support this particular opposition day motion today.

As PC critic for education, it's clear to me that regardless of how much I hear in this House about what the government is doing for education, I can see that any of the assessment formulas that are being put forward don't recognize the uniqueness of communities and the character and the values of each individual community. One size doesn't fit all, and the formulas that are being put forward are expecting communities to just fit under a category and move forward. That doesn't work.

As a mother and a grandmother, I am really concerned about the sheer disregard this government has for our students in our rural communities. It's the parents who are forced to advocate and to protect their children's right to education and a quality of life in our rural communities. If the parents of Phelps Central School in Redbridge had not ramped up their efforts and taken their objection to the school closure to that next level and created media awareness, then in the fall of 2008 their children would be travelling three hours and more in a school bus every single day just to attend school, because Phelps school would have been closed.

When asked for the list of school closures, the minister said she didn't have it. But that secret list of school closures miraculously appeared minutes after the question was asked. It did exist. Make no mistake, there are more closings on the horizon that appear on that list.

How can parents, students and school boards trust this government when they say one thing and do another?



They are completely untrustworthy. Evidence abounds of the Premier's broken promises to our rural communities. The minister says one thing, but when Premier McGuinty was Leader of the Opposition, he said in 2002 that he was extremely concerned about the plight of our rural schools and the negative impact the closures are having on our communities. I quote:

"Parents and students falling within the Thames Valley District School Board awoke to some terrible news. They have learned that there are five elementary and two high schools that are on the chopping block, in small communities. These schools are absolutely integral to the quality of life those communities offer."

Today, as we sit here in this House, five elementary schools and one high school are on the chopping block in the Thames Valley District School Board. This is on Mr. McGuinty's watch.

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**Mr. Paul Miller:** The current provincial funding formula does not sufficiently recognize or fund the unique needs of northern schools. Ontario's northern schools have fewer specialist teachers, less access to special education supports and fewer full-time principals than schools in the rest of the province. Most northern boards cover very large geographical areas and their schools are, for the most part, very small and very far apart. Northern schools have a number of other unique characteristics: Their enrolment is rapidly declining, they have higher-than-average heating and busing costs, a high proportion of aboriginal students and less access to community supports. And now you're going to make things even worse for northern communities by closing more of the schools that these communities depend on.

Northern schools are well-used by their communities after school hours. A large number of northern schools provide space free of charge to community groups. In many communities, the schools represent the only place where the local community can assemble. The higher number of small communities and the great distances between those communities make the provision of adequate transportation services a constant challenge for the northern boards. Students in northern boards spend more time on buses than students in any part of the province, and northern boards struggle with very high transportation costs. Closing a northern school can mean even more hours on buses for students and increased risk to the students, particularly during the winter months. These students also find it impossible to participate in extracurricular school activities and events.

The closing of a school in a northern community can have a devastating effect on the local economy as areas are already reeling from job losses. This, combined with the hard impact on children's education, can have a significant negative impact on the social life and opportunities for many in these communities. Often in the north there are limited community social services. The closing of schools means that these already limited services are now even less accessible and less likely to be used.

Among the findings in the People for Education report, it states that:

"In four of Ontario's northern boards, enrolment has declined more than 20% since 2002.

"One northern board has 36% fewer students than it had in 2002.

"There are over 100,000 students in nearly 300 schools currently under review in the province.

"At least 50 school closures have already been recommended, but many reviews are not yet complete—more recommendations for closure are inevitable."

Accepting these recommendations for closures is accepting damage to our educational, social and community structures. New solutions are needed.

"In 2003, at People for Education's Annual Conference, Peter Gooch, then-Director of Education Finance at the Ministry of Education, said that declining enrolment was the biggest crisis facing school boards. At that time he said it was urgent that the province ... begin to develop long-term strategies to deal with it."

Simply closing schools is hardly what I call a strategy, but beyond small patches to funding formulas, few new strategies have been developed. Parenting centres, child care centres, community kitchens, public meeting spaces, even public libraries and health clinics can all add up to the life of a school and strengthen a community's sense of connection to it, and the pride in their community.

In both rural and urban areas, schools have the capacity to act as thriving hubs of activity and events for their local communities. Schools could include community centres and have extended hours in the evenings and on weekends for community use.

All of these things require greater vision—which this government doesn't have—in finally fixing the flawed education funding formula, greater flexibility in joint funding and greater co-operation across sectors, ministries and levels of government.

Next steps: Strategies to deal with declining enrolment do not necessarily cost more money. In many cases, they save money in the long run but they may involve municipalities, other ministries and sectors and will entail a funding formula with greater flexibility.

The province has said it will appoint a working group to examine the impact of declining enrolment in Ontario schools and to assess current government policies and evaluate other strategies. These names and the dates of consultations must be announced and the work begun very soon. But to be truly effective, this group must also be able to make recommendations about the education funding formula before the planned review in 2010, and it must have the latitude to suggest new thinking around the connection between municipalities and their schools and new approaches to the use of school buildings.

In the meantime, boards are making decisions that will affect hundreds of communities and tens of thousands of students across the province, now and far into the future. This government must get out from behind its rhetoric. It must announce the names of the work groups now, announce its critical path to successful resolution of this



extremely serious education and social issue in northern Ontario and in rural schools and communities across the rest of Ontario.

In my community in Hamilton, we've got to a point where our board finds it necessary to sell three schools in the inner city to open one school in the suburbs. The funding formula allows for so many students, so many seats within the inner city. When enrolment declines in those schools, they're forced to make do with busing, make do with changing teacher strategies, the board strategies, and they can't even afford to build a new school. So the older cities, with their infrastructure crumbling, and people moving to the suburbs have caused unbelievable hardship in my community.

We need this government to step up to the plate now. Change the present funding formula because it's not working and it needs to be rectified. All I can say in closing is, it's time that the McGuinty government stepped up to the plate in education throughout this province.

**The Acting Speaker (Mr. Ted Arnott):** Further debate? The member for Huron-Bruce.

**Mrs. Carol Mitchell:** I want to thank you for giving me the opportunity to talk about schools in rural Ontario.

*Interjections.*

**The Acting Speaker (Mr. Ted Arnott):** Will the member please take her seat. I would ask the members of the opposition to refrain from heckling the member for Huron-Bruce, and I return to the member from Huron-Bruce.

**Mrs. Carol Mitchell:** Thank you, Mr. Speaker. I only hope that the official opposition will stop and listen to the voice of rural Ontario. We hear the comments from across the way, comments from the member from Leeds-Grenville about arrogant leadership—"not out of our eyesight."

But I do want to say to everyone who has the TV on and those members in the House today, we just had an election. And what was the position of the official opposition? Let's all remember what their position was. Their position was to fund private schools. I think about what that would have done to rural Ontario, what difference that would have made to the landscape if the official opposition had just won the election. So let's think about that.

When the Mike Harris-Ernie Eves government was in power, what happened with the funding formula that was existing under their government at that time? I can tell you: 200 new private schools, 40,000 new private school students—a 50% increase. That was under that funding under Ernie Eves and Mike Harris. If they would have been successful in the election, the growth in private schools would have been certainly much more dramatic than that. I say to the members from across the way, were they thinking of rural Ontario when they came up with that platform, that strong plank in their platform? I don't think so. I think, once again, they turned a blind eye.

But don't take my word for it. What does Mr. Tory have to say about our education system? Despite what the

Conservatives are saying today, in April 2008—because I know the member always asks—John Tory told the Sudbury Chamber of Commerce that Ontario has an education system that is doing a good job. He understands. He gets it. If he was here, he could share that with them. In April, John Tory also said that Ontario has one of the best education systems in the world. And where was that speech made? That speech was made to the Brampton Chamber of Commerce. So we know that the leader of the official opposition understands and knows that if he had been successful going forward with private schools, I tell you, rural Ontario would have been damaged much more severely. But then, what can one expect from a group who certainly turned a blind eye to rural Ontario the whole time they were in government? There certainly has been no change from that side of the House.

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But I do know that everyone is anxious to hear how the schools are affected in funding in Huron-Bruce, and I want to share that with you. As you know, I am from a rural riding. My largest town is just over 7,000, so that gives you a sense that it is all rural, not how some members would liken themselves to rural when they really represent large urban areas.

I have four school boards in my riding. I have shared those in the past with the member from Bruce-Grey-Owen Sound, the Leader of the Opposition and the member from Simcoe-Grey. Some of that has changed since the election, but I will share that with you.

First of all, there is the Bluewater District School Board, that being Bruce-Grey-Owen Sound. They have seen a 15.6% increase while having declining enrolment. I don't have the per capita numbers, but that is a significant number that one should look at as well, and I know there are other members who will add that. We also have the Bruce-Grey-Owen Sound Catholic board, and they saw a 22% increase. The Avon Maitland school board, which I share with the member from Perth-Wellington, had an over 18% increase. The Huron-Perth Catholic: an over 20% increase. These are all during declining enrolment. We know that it is very difficult to provide the level of education in rural Ontario because we understand in rural Ontario how important education and skills are.

One of the other things that I know the members from the official opposition will be anxious to hear: Two of my schools within Huron-Bruce also have high skills majors—

*Interjections.*

**Mrs. Carol Mitchell:** They just don't want to listen to rural Ontario. Two of those high skills majors are with agriculture. One is in St. Anns, which is in Clinton, and the other is in Chesley, which is in Bruce county. Both of those schools receive the Premier's agriculture awards. I share this story with the members from the opposition—not only are we respectful of our rural communities; we also understand what our rural communities need. I hope you're aware that in our agricultural communities, it's very difficult—as I know that you know, Mr. Speaker—



to attract our young people and to retain them. By putting back what was taken out by the previous government and giving the ability for the agricultural community to go into our schools and get our young people engaged—I can tell you, being a rural member, how important that is. We know that in order to engage our young people in the future for agriculture, we must start at a younger age. So when the previous government withdrew so much of that, it really was difficult for our communities to go forward.

Also, within our agricultural high skills majors, one of the things that we've been able to do is to introduce agribusiness into that as well as our equipment dealers. They are providing the equipment. It's also a sub-branch, obviously, of agriculture. As we know, agriculture is the second-largest industry in the province of Ontario.

So I say to the members across the way: I know that during the election they went out and talked about private schools. But do you know what? In my riding of Huron—Bruce, my neighbour, he got it. The member from Bruce—Grey—Owen Sound, he knew it. He had the same position that I did on education. And so I say to the members across the way: Listen to your own members. Listen to the member from Bruce—Grey—Owen Sound about education. Listen to your leader about education. Listen to rural communities. You have not in the past; I hope you do in the future.

I do want to thank you, Mr. Speaker, for allowing me the opportunity to speak to this very important issue.

**Mr. John Yakabuski:** Thank you very much for the opportunity to quickly debate on this motion today, a motion put forward by our leader, Bob Runciman, with respect to rural school closings. It seemed to be something that this government was very much opposed to when they were in opposition. If we go back to 2003, you'll remember when Gerard Kennedy, then Minister of Education, promised a moratorium, and in fact said he'd delivered a moratorium on the closing of rural schools. All the while, schools were closing, so his word wasn't any good then. The words of the Premier in 2007, they're no good either. In 2007, just prior to the election—

**Hon. John Wilkinson:** Why did people vote for him?

**Mr. John Yakabuski:** Well, they voted for him because they believed him, and they shouldn't have believed him.

"For rural kids, few things are more important than being able to go to school in your own community with your own friends," said the Premier at Newburgh Public School. "Rural schools help keep communities strong, which is why we're not only committed to keeping them open, but strengthening them." On September 18, 2007, that's what Dalton McGuinty said. A mere eight months later, we're now looking at 50 schools in the province of Ontario that are slated to close—rural schools—and 300 schools that are under review, including schools in my community of Petawawa.

During that moratorium, when then-Minister Gerard Kennedy said we weren't closing any rural schools, five schools in my riding closed, and now we're looking at the family of schools in Petawawa, including General

Panet High School, General Lake Public School, Pinecrest Public School, Herman Street Public School and Pine View Public School, which are all being reviewed as we speak; this from a government that promised they were going to keep rural schools open—and the importance of rural schools and how much they mean to communities.

Where we have seen rural schools close, we have seen communities suffer. The editorial from one of the newspapers that the education minister read was only about the facilities and what's offered to students at a bigger school. We're not dumb. We recognize that a bigger school has more facilities, but what about those communities and the effect on those communities? This government, because it can't keep its word, is not delivering on the promise that it made in 2007, not delivering on the promises it made in 2003, not delivering on the commitments that Dalton McGuinty made as an opposition leader in 2002—the importance of rural schools.

What we're asking for is that you put a moratorium in place until such time as you establish a new funding formula, which has been promised and promised and re-promised.

**Hon. Kathleen O. Wynne:** Done that.

**Mr. John Yakabuski:** It's not done; you say you're going to have a new funding formula in 2010.

*Interjection.*

**Mr. John Yakabuski:** Don't talk about envelopes money—a new funding formula for rural schools that includes transportation so that we can get on with the job of giving the best possible education for our children here in the province of Ontario. This government has not delivered on its commitments. It has only broken promises, broken its word and—oh, I can't say that, Mr. Speaker, but when you say you're going to do something and you don't do something, some people would call you something. In this House we can't say it, but that's what this government continues to do, and it continues to do it on the backs of rural schools.

In rural communities, we're trying to keep schools. In Toronto, they worry about pools; we worry about schools. Do something. Put a moratorium on this until a new funding formula is in place.

**Mr. Pat Hoy:** I'm pleased to join in this debate this afternoon on the very important subject of rural schools. My riding is largely rural. It has some small urban centres, but there's a lot of rural in Chatham—Kent—Essex. We recognize how important our schools are to our communities in the rural area. If you close a rural school, they may have to travel 10, 20, 30 miles to another school, or more, perhaps, so we know how fundamental they are to our communities.

What I find very, I'll be polite and say "interesting," in this motion coming from the Conservatives is their past history. They've suddenly gotten this new idea about rural schools. Let me tell you that Romney Central School, a rural school in Chatham-Kent, was the very first school to fall under the axe of the Harris govern-



ment's short-sighted policies—a government that admittedly set out to create a crisis in our schools.

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I worked with a lot of parents from the schools on the Mike Harris closure list. I worked with Romney Central. I asked questions in the Legislature urging the former government to reconsider the funding formula, which lacked the flexibility to meet the disparate needs of communities around Ontario. This inflexibility was ripping the heart out of rural Ontario. I attended many, many parent meetings and board meetings. One thing was very clear: The former government's funding formula was forcing the closure of rural schools.

Romney Central was in a location where there were virtually no houses around it. There were fields of various crops growing all around the school, and from time to time, I was told, there were deer running through the backyard. And guess what? This school, in that setting, did not meet the "rural" definition as put forward by the former government. So the parents, teachers and supporters of Romney Central travelled here to Queen's Park back in those days and begged the government to change the formula to at least recognize what "rural" meant.

Romney Central School was not a little red schoolhouse. It was the first graded school in the county; it was opened by William Grenville Davis and Darcy McKeough, who applauded the foresight and courage of residents in forming a township-area school. And the former government caused it to close.

Small schools, like small churches, are the primary threads that weave through the fabric of rural community and rural life. Mike Harris's then government didn't understand that one size does not fit all. He governed by what he could see from the CN Tower, and he could not see Romney Central or rural Ontario from there.

Ridgetown high school was a school also, at the time, talked about for closure. The former minister, Mr. Kennedy, came to Ridgetown and told them that he had a plan, a plan that is further carried on by the current minister. Ridgetown, in a location next to the Ridgetown agricultural college, was in fear of closure under the previous government. I'm proud to say that Ridgetown high school remains viable. Our government's commitment to rural Ontario and an outstanding publicly funded education system remains unwavering.

I'd just remind the members opposite that when the Tories were in power, 506 public schools closed while enrolment was going up and over 200 new private schools opened.

I find the motion put forward today by the opposition to be somewhat incredible.

**Mr. Ernie Hardeman:** I'm pleased to rise today in support of the motion to save our rural schools.

When he thinks it will get votes, Dalton McGuinty claims that he recognizes the importance of rural schools. During the election, he said, "Rural schools help keep communities strong, which is why we're not only committed to keeping them open—but strengthening them."

Unfortunately, we know what a promise from Dalton McGuinty is worth. Eight months later, 50 rural schools are slated to close and hundreds more are under review. Small towns are in danger of losing part of the foundation of their community, one of the things that attract people to live there.

I know how important these schools are to the future of our small communities. I've heard from many people who are concerned about the impact on their town and their children.

In Oxford, it was recently announced that Princeton Central public school will close in June 2009. I met with the people from Princeton, who told me how important it was for them that their kids learn close to home and be part of the community.

Other schools in Oxford, from Norwich District High School to Sweaburg Public School, are still under review. I've heard from many parents, teachers and local business owners in Norwich who are afraid that their high school will be next.

I've also received hundreds of great letters from students of Norwich District High School about what their school means to them. One of the students called it "the heartbeat of the community." Another said, "Even though NDHS is a small school in a small community with a small amount of students, it has a big impact with its big challenges," and helps create a big future.

Some of the letters spoke about the academic achievements and of the great sports programs. They pointed out that Norwich offers the only agricultural skills program within the entire board of the Thames Valley. Another letter talked about the contributions the school makes to the community. It is clear from all the letters that the students are committed to their education, their community and to participating in everything that the school has to offer. Is this really the kind of school we want closing?

It is not just residents in Oxford who are concerned about their schools. Across southwestern Ontario people are worried about the impact of school closing on their communities, schools like Metcalfe elementary school in the municipality of Adelaide Metcalfe, Caradoc South elementary school in Melbourne and Glencoe District High School.

I heard from one successful Glencoe graduate, Monte McNaughton, who said that, "Glencoe high school is the hub of the community. Families depend on having a secondary school in the Glencoe area so students can participate in the community and all the school activities instead of spending an extra hour a day on the school bus."

Mr. McGuinty needs to follow through on his commitment to rural schools and communities. Our students, our schools and our rural communities just can't afford another broken Liberal promise.

Thank you very much for allowing me to speak today, Mr. Speaker.

**Hon. John Wilkinson:** I'm delighted to join in this debate. I want to tell the good people at home who are



watching this, these are the things you have to remember: Under the previous government, enrolment went up, the amount of money spent went down and therefore the funding per pupil went down. In our government, enrolment has declined but funding has gone up, so we are spending more per pupil. That's the first fact we have to get on the table.

The second fact is, I want to talk about my own riding of Perth-Wellington and about two communities in the midst of accommodation review. One is the great stone town of St. Marys, the place worth living in. In that community there are two elementary schools: Arthur Meighen, named after the famous Prime Minister who hailed from St. Marys, and also St. Marys Central Public School. Both are very old schools. In rural Ontario many of our schools are quite old, and as a result those two schools have been declared prohibitive to repair. It makes more sense to build a new school than trying to keep an old school up, particularly when it cannot be retrofitted to ensure that it is accessible to all children. I'm sure all of us in this House would agree that schools should be accessible and they should have the modern amenities available to them.

So that school board has decided that, with the two schools to be closed, they're going to build a new school. Yes, there will be one fewer school in St. Marys, and one could criticize us for that, but we are providing the money for a brand new, modern school to be built in the town of St. Marys, one that is right-sized for the community given the fact that the children of school age are declining. Though some people would say there should be a moratorium so that those two schools that are prohibitive to repair could be kept open in rural Ontario, I believe in a future for our students and I believe we should build that new school. We went through a process that was quite lengthy.

Next door in the community of Mitchell, they are doing an accommodation review. I want to read a letter from the chairman of the Avon Maitland District School Board, Meg Westley. What does she write? She writes Minister Wynne, and copied me—and I see the minister here.

"As the Avon Maitland District School Board approaches the end of its first accommodation review using the new guidelines"—those would be the guidelines set out by our government—"we would like to provide you with some feedback on the process....

"This accommodation review, in the town of Mitchell, has been a much more positive experience for all concerned than any in our last round." That would be the round under the previous government. "The longer timelines have allowed for in-depth community consultation, and we've had the opportunity to engage in a good deal of open, frank discussion with the community, and especially the ARC"—the accommodation review committee.

"All of our communities recognize the challenge posed by declining enrolment in our district. Although the prospect of closing a school continues to evoke a

strong emotional response, our communities"—our rural communities—"know schools will have to close, and even recognize that spending money to keep half-empty schools open is not the best way to use taxpayers' dollars, nor the best way to ensure students receive a quality education."

When we first formed government, when enrolment had gone up and funding had gone down, when this funding formula we inherited was leading to the closure of schools, we imposed a moratorium. We changed the funding, and now we have to look at the reality of the situation. By working with the community, we have to look at what's best. What the proponents of the past want to say is that somehow we should keep the school open even when there are no students in it. God love us all, a school has to have pupils in it. A school has to have pupils who have teachers who can provide the kind of education that they are going to need to succeed in the 21st century.

1700

I'm not a Luddite about this; I know how difficult it is. But by engaging the community, by spending more money per pupil, we are in a position now that we can look at, for example, in the town of St. Marys, having a new school that every child—a child in a wheelchair, a child who is blind, a child who is deaf—can go into that school. That is not the case today in St. Marys.

In our communities, we are looking forward to a day when all of our rural students are welcome and accommodated in a school that is accessible for them. Therefore, I will not vote with my friends opposite, because I remember their record in government. Thank you.

**Mr. Jerry J. Ouellette:** I just wanted to say that it's not limited to rural schools. Recently, we've had a number of notices in my community of Oshawa, with the Durham Catholic District School Board announcing five closings that I will mention here, as well as some that hadn't been mentioned that I was informed of two days ago, which was quite surprising to myself.

But before we get into that, I just want to mention some of the other aspects that haven't been mentioned here. We talk about some of the changes. When there was another minister in this current government dealing with education, they made some suggestions for changes that came forward that haven't been brought up yet today. We talk, but we haven't heard about the impact.

In Oshawa, we now have portables coming out the ears in order to accommodate students. Yes, we understand the growth and the cycles of these areas, but now—which we didn't have before—we have a number of students in portables. We tried to point that out to the former minister, but it never came to fruition.

The other aspect was about the split classes now in our community. In our school, where our boys go, we saw maybe one split class, but every single grade now has a split class. What does that say? Yes, they may be under the required numbers, but lo and behold, we have one teacher teaching two different grades, with the impact that's having.



When you talk about impact, what about the impact within the schools locally: Canadian Martyrs Catholic School, Father Francis Mahoney, Holy Cross, St. Gregory, St. Michael? The number one question in the teaching community is, "What's happening? Where am I going? Do I have a job? How is it being affected?"

I think something that hasn't been brought up in the Legislature here is the capital expansion formula. I had a good relationship with the previous director, who retired in January. It came to my knowledge that there was no capital funding formula so that the school boards could actually do planning for projections in the areas.

The difficulty with that is that they have to close these before they can make announcements in coming forward, where the previous government, our government, as a matter of fact, had a capital funding formula whereby the school boards could actually look and make plans for future closures and openings. That's one of the difficulties that we're finding here, and that's one of the things I would say to the people at the Durham Catholic District School Board, that quite possibly, with the schools that are closing, we may see some changes come around in the near future. But at the current time there is certainly a strong concern within the education community.

The other aspect of concern is that the school board was approached by the city. I met with the mayor last night. The mayor specifically informed me that the school board absolutely refused to discuss any growth-plan areas in our community at all. The problem with that is that there's an intensification in the areas that all these schools are being closed down in. Brownfields are being revitalized and new development in that area is going to bring new young families into the community. Guess what? They'll be needing schools.

Lo and behold, the Durham Catholic District School Board refused to meet with the city in order to discuss some of the planning implications. The problem is obvious. Lo and behold, two or three years from now, when all this area is developed and Oshawa is growing and expanding hugely, we actually will be needing more new schools in the areas where they're being closed. I just wanted to raise that.

The one last thing I wanted to bring up before I close—because I know my colleagues are looking forward to speaking as well—is that it was brought to my attention and it appears, quite frankly, that the bureaucracy has made this decision, in that one of the schools is actually listed as Oshawa's oldest school. They're planning for a new school to be opened on Coldstream, but O'Neill is going to be closed. It was founded in 1909. Actually, my mother went there. It's been slated to be closed once the new school opens up.

**Interjection:** No respect for heritage.

**Mr. Jerry J. Ouellette:** Part of it is the heritage in Oshawa, as the member is mentioning, as well as the families that have attended there and the traditions. Many are looking forward to having their kids attend the same school in a great facility at O'Neill. Apparently in a short

time, in a year or so from now, it is not expected to be open and there will be strong concern in our community about that community as well.

**Mr. Jim Brownell:** I appreciate the opportunity this afternoon for a chance to speak on this opposition day motion. As a retired educator, I certainly can understand and appreciate the need and the wish to keep all schools in Ontario open, but really, it's just not the case. It's not feasible in many situations.

I look at some schools in my riding, and I'm going to give you an example of two schools, John Sandfield Macdonald public school and Bonville public school, that closed in the 1980s. Certainly, nobody was banging at the doors here at Queen's Park or at the doors of the school board to get involved. School boards made decisions then. School boards made decisions to close Finch Public School, and those two other schools that I just mentioned closed because school boards were elected to make those decisions. The minister stood up at the outset of this debate and commented about that very thing. We are not in this to micromanage our school boards; we are in this to make these elected officials make the decisions that they were elected to make, and sometimes they are very difficult decisions.

I would like to quote Greg Pietersma, the chair of the Upper Canada District School Board, who made a comment in the Brockville Recorder and Times on March 28 of this year, where he said, "We have to move from being champions of schools to champions of learning. We can keep a lot of schools open but at what cost?"

Shortly after that—it was about one month later, on April 29, 2008, in the same newspaper. I would like to quote comments made by the Leeds–Grenville member. It says:

"As enrolment continues to decline, Ontarians need to disabuse themselves of the notion that closing a school is bad for education. We've seen two examples in Leeds county in recent years where arguably students are better served after school closures, since they are now housed in far better facilities, namely Meadowview and Thousand Islands elementary schools.

"Facilities such as libraries, gymnasiums and science and computer labs are likely to be vastly improved when students are moved to schools that are somewhat larger.

"Premier Dalton McGuinty is correct when he argues that academic achievement, rather than the number of buildings, is the real measure of the province's school system.

"In fact, the money needed to keep open half-empty buildings would be far better spent in the classroom. It's the children, not the buildings, that matter most when it comes to education."

This is a quote in that member's newspaper, the Brockville Recorder and Times.

Here we have the community coming out and saying—I look in my riding at Dickson's Corners Public School. In December 2006, I went out to Dickson's Corners Public School because a young girl there designed my Christmas card and I went to present her



with an award. I drove up to the school, a very large country school with a gymnasium, and I thought I would be making the presentation in the gymnasium. I went into the school and the number of students in that school filled the library, a small classroom library. With declining enrolment, the community closed that school.

I look at Newington Public School. Shortly after I got elected—the writing was on the wall in the previous Tory government's time here at Queen's Park—once again, declining enrolment closed that school.

I look in the city of Cornwall. I'm talking about a city school in Cornwall, but many rural students are bused to a French public school in that community, Horizon-Jeunesse. Here is the situation: Right at this time, the community is working to amalgamate the students from that school over to Rose des Vents, where they will have all the students housed in one school in that community. I think that's the way communities are making decisions. The parents, in many cases, are making decisions, but it rests on the school boards to make those decisions.

When I see the help that we've given—I look at the school foundation grant, \$1.2 billion in the last two years; I look at \$3.4 billion in rural schools this year—that's a 22.9% increase since 2003. Those are the supports that we've given to the school boards, and these school boards, being elected, are making the decisions.

I rest it there. I have great faith in the school boards in my riding to do what they were elected to do.

1710

**Mr. Randy Hillier:** I hear all the broken promises, and this is what this debate is about. I'll be supporting this motion, and as the member from the NDP said earlier, it's eminently reasonable. I don't know if the people on the other side of the House know about those words, but it is eminently reasonable.

Broken promises: That's what we're hearing from the other side, a continuation of broken promises. Here is another one that the Premier said: "We're going to regret having closed schools prematurely when we could have kept them open." We've heard from the minister about a new envelope of money, we've heard about the declining enrolment work group, but they're proceeding. When I hear about this new envelope of money, it reminds me of the old days with Canada Post, when we used to hear, "The cheque is in the mail." There's another envelope of money; the cheque is in the mail.

Our rural schools are being closed because this Liberal government is managing the demise of rural Ontario. They are not protecting rural Ontario, they are not defending rural Ontario; they are managing the demise of rural Ontario. Those words come out of a report that that government adopted back in 2004—the panel on the role of government report. Right in there, it said that they will manage the demise of rural Ontario.

As this government just yesterday was playing hooky from their responsibilities and duties to the people of Ontario over in Quebec City, other people in rural Ontario were working. People in rural Ontario drafted up a report card on this government. It's by the Ontario

Landowners Association. Guess what? Let me just read a little bit from this report card. Rural affairs—

**Interjection:** An F.

**Mr. Randy Hillier:** Oh, an F—Mr. McGuinty "has demonstrated a thorough ignorance of all things affecting rural Ontario." Under education: Mr. McGuinty "demonstrates a complete and constant misunderstanding of the educational system"—another F. Under environment: Mr. McGuinty views this subject "as an exercise in wasteful economics.... He has disbursed millions of dollars to his favourite NGOs" via the greenbelt. Under ethics here, an F: Mr. McGuinty "demonstrates a complete lack of desire to learn the fundamentals. His daily responses are strongly indicative of a deep-seated pathological contempt."

There is a difference between this side and that side: On this side, we say what we do and we do what we say.

**Mr. Jim Wilson:** I'm happy to rise in support of this motion. It simply calls upon the government "to suspend any and all board-recommended rural school closures until both the funding formula review and a thorough assessment of alternate uses for the schools have been completed." I don't think that's an unreasonable appeal.

We know that the Premier, then-opposition leader, on June 11, 2002, agreed with this very same idea when he was quoted in the Kitchener-Waterloo Record as saying, "While schools 'will open and close in the natural order of things,' McGuinty said the province should avoid forcing closures while the funding formula is under review." He then went on to say, "We're only going to regret having closed schools prematurely when we could have kept them open." That was in 2002.

Fast forward to 2008, and we have 300 schools on the chopping block, affecting over 100,000 students. In my riding of Simcoe-Grey, the story is just as bleak. Currently, there are seven schools undergoing an accommodation review, which is essentially, depending on how you look at it, the first step before a school is allowed to close. Among those are Elmvale District High School, Stayner Collegiate Institute, Alliston Union Public School, Our Lady of Assumption in New Lowell, the Collingwood campus of the adult learning centre, Tecumseth Beeton public school and Tecumseth North Elementary.

I should note that an accommodation review committee is meeting tonight at 7 o'clock at Alliston Union Public School for a working session on the future of Alliston Union, Cookstown Central, Tecumseth Beeton and Tecumseth North Elementary schools. It's co-chaired by Councillor Jamie Smith. They will have a public meeting on June 17 at 7 p.m. at Tecumseth Beeton public school on Patterson Street.

Now, the list does not include facilities like Duntroon Central Public School that always seem to come perilously close to closure. In fact, Duntroon is a school that I fought very hard to keep open back in the mid-1990s, and I'm happy to say that we were successful in doing that. When the board wanted to close Nottawa Elementary School and bus the students to either



Duntroon or Collingwood, I joined the fight, and we won a brand new school for Nottawa. The same goes for Admiral Collingwood. It was supposed to close, leaving Collingwood with only three schools, until we fought to have it replaced, which it was. That was the record of our government.

These schools are at the heart of our rural and small-town communities. As Mr. McGuinty said, again in 2002, "If a rural community loses a school, it's not the same as shutting one down in downtown Toronto where there's another one six blocks away. What you're doing is robbing the community of an important component. It's the heart and soul of a community. If you don't have a school, it's really tough to attract and to hold on to young families."

I completely agree, which makes me wonder why, years later, the Liberal government and the Premier are so bent on stealing the heart and soul right out of Stayner, Elmvale, New Lowell, Beeton, Alliston and Collingwood. It's deplorable, particularly when you consider the commitments the Premier has made. In the last election, on September 18, the Premier walked up to the podium at Newburgh Public School, outside of Kingston, and said, "Rural schools help keep communities strong, which is why we're not only committed to keeping them open—but strengthening them."

Keep this in mind, ladies and gentlemen: This is after the Premier had been in government for four years and he had all the data on finances and enrolment. At the end of the day, this is another example of a Liberal broken promise. The Premier said anything to get elected the first time, and as we saw again in the last election, they said anything to the people of Ontario to get re-elected.

**Mr. Garfield Dunlop:** I'm pleased to rise today to speak to the official opposition day motion, and I really wanted to expand a little bit on what my colleague from Simcoe-Grey had mentioned in his comments just a few moments ago.

I think one of the worst things about the lack of appropriate funding or the threat of school closures is the worry that these communities have. There are two schools in particular that are not too far away from where I live that I wanted to mention.

The one school that has been under a threat for the last couple of years at least, and certainly there is a strong school council that is advocating and working and trying to lobby the school board to stop any threat of closure, is Moonstone Elementary School. It's a small community not too far away from what many people know of as the Mount St. Louis Moonstone ski resort area. Really and truly, if that school was ever to close, there would be really no community there. There would be a bunch of houses, but the school is the centre of the community. The Christmas concerts, the Canada Day celebrations, everything is held at the school, so the thought of moving those children away from that school and moving them off to a larger school somewhere else would be devastating. It would actually be the end of that community.

You know, I was encouraged last year even during the election campaign, when the Premier promised that those sorts of things would not happen, that we wouldn't lose rural schools. So it is disappointing when our critic for education comes forward and finds out there are least 50 schools in the province today under direct threat of closing, and quite frankly—

**Interjection:** There are 300 under review.

**Mr. Garfield Dunlop:** And as I've heard here now, there are 300 under review.

1720

The second school—and it's not in my riding but it's in Mr. Wilson's riding: Elmvale secondary school. There's probably not a better rural secondary school than Elmvale secondary school in our province, for a small school. They've got a great spirit. For the community of Elmvale, which is a small community of 1,600 or 1,700 people, the threat of closure for that school would be absolutely devastating.

I was encouraged last year when I thought that there would be a policy put in place and legislation put in place that would have stopped that from occurring. So I hope the government members will take the time today—particularly the rural members—to support this resolution that is before the House. I think it's important for the government to prove they don't have the hatred of rural Ontario that we on this side of the House believe that they have.

Thank you very much, and again, I hope you'll all support this.

**Mr. Toby Barrett:** In my riding in Haldimand-Norfolk, a number of elementary schools have narrowly escaped closing. However, others have been less fortunate. As for the high schools, we fought the battle for the Delhi, Burford, Valley Heights and Port Dover high schools, and all but Burford remain open. This meant countless meetings and petitions and briefs, not only to the school board but also to the Ministry of Education.

Very recently, my hometown high school of Port Dover is again, for the second time, being eyed for review after trustees learned that enrolment had declined to 287 students. The board has abandoned its plans to review Norfolk high school for now, but the words and the actions of this present government since 2003 do not convince me that they will put their money where their mouth is and help keep these schools open.

Each and every time, I've reiterated my request for either special provincial funding or a moratorium. Last week, this side of the House once again called on this government to put in place a moratorium on these closures until the review of the funding formula has been completed.

In the interests of time, I want to reiterate that I'm personally underwhelmed by this government's—at one time, there was a toothless moratorium request. It was a voluntary moratorium put forward to two ministries. In spite of that, the closures did continue at that time. Prior to the 2007 election, this Premier said, with regard to rural schools, and I'm sure we have heard this already



this afternoon, "We're not only committed to keeping them open but to strengthening them as well." Premier, with 50 rural schools closing, and we now see accommodation reviews on another 300, it's an awfully strange way to live up to that kind of statement.

What this government perhaps does not understand is that rural schools keep our smaller communities alive and vibrant. Regrettably, when a school closes, in particular a high school, there's a great deal of collateral damage that occurs. Once that school is closed, we see restaurants close; we see a decline in property values. Families are forced to move out of town, in particular those families with young people coming up to high school age.

I know that rural education in my riding does not have time to wait for action from this government. Smaller communities are already suffering at the hands of this government, and for many of these towns, a school closure would be that final nail in the coffin. As this government continues to delay honouring funding promises, school trustees across the province are left with that unfortunate task of making decisions for this government; essentially, making decisions in a vacuum. Sadly, we remain locked in this battle to convince those who hold the purse strings, those who have their hand on policy—we are seeing no action, and the need for action is presently in need right now.

**Mrs. Liz Sandals:** I am pleased to be able to join the debate, but I must say that there's a certain amount of gall involved in criticizing Liberal government management of schools when we think back to the official opposition's record.

The Conservatives really mismanaged the education system. They cut \$1 billion out of the education system. There were 15,000 fewer teachers in the school situation when they finished than when they began. How many days do you think were lost because of disruption in the school system? There were 26 million lost days from these people's mismanagement.

Now, as many of you know, I was a school trustee through all of the Mike Harris years and through all of the NDP government years. I'd like to tell you a little bit about my experience in closing a particular school, because one of the schools that I closed, I must say, with the consent of the community, was a small K to 6 school. It was an old, open concept school. There was a neighbouring school next door. We were closing this school in a very high-needs, high-risk area and building an addition at the neighbouring school and turning it into a K to 8.

The community was actually very supportive of the move, so with the support of the community, we closed the school because we could provide better programming and a better facility. But their rules said that if we closed a school, the provincial government got to scoop it back, and that's what they did. They took back this little K to 6 school in a high-needs community. Do you know what we found out they were going to do with it? What they were going to do with it was sell it to a private school operator, which tells you how it came to be that there were 200 private schools open when these people were in government, a 50% increase in private school enrolment.

Do you know what we did? We found out—

*Interjections.*

**The Acting Speaker (Mr. Ted Arnott):** Will the member please take her seat. I ask the House to come to order, on both sides, and I return to the member for Guelph.

**Mrs. Liz Sandals:** So when we found out they were going to sell it to a private school, we actually unclosed the school, because we weren't letting it go to a private school. Do you know what we did? We then started the process all over again, and this time we managed to do what we had wanted to do in the first place. We quite legally, with the co-operation of the municipality, transferred the school to the municipality, which, in turn, transferred it to the children's aid and turned this school into a wonderful social service community support hub for a community which was very high risk and very high need. That is how you want to assess community need—the way we did it, not the way they do it, which is just selling it to a private school.

I do want to tell you what we have done since we came into office. Despite the fact that there are 90,000 fewer students in the system, we have actually added \$4 billion to the school system. But, in particular, when we talk about rural schools—in fact, about all schools—we have funded a principal and a secretary for each and every school. They didn't do that. There wasn't enough money to go around for principals in schools.

We've put \$3.4 billion into rural schools this year. That's an increase of 23% since we came in. In fact, the most rural schools have something called the supported school grant. I'd like to tell you about the supported school grant, because we recognize that there are some very small schools in very small communities that must stay open. We've created the supported school grant so that can happen.

So for very small, very remote elementary schools, we are ensuring that those very small schools get—they have to have at least 50 students and be remote—at least 7.5 teachers. That's almost one teacher for every seven students. The reason we're doing that is to ensure that we don't get into the situation where you've got three or four grades in one class. It ensures that the elementary program can be delivered properly.

At secondary, if it's a very remote school, the funding is even more generous. For just 50 students, we ensure that there are 14 teachers in that school, so that a full range of proper secondary programming can be delivered.

So we have no need to take any lessons from these folks on how to manage rural schools. In fact, Emily Noble, the past president of the Elementary Teachers' Federation of Ontario, said, "The supported schools allocation recognizes that small elementary schools in remote areas have a number of challenges. No matter their size, these schools must provide a full range of services for their students."

It is true that some schools continue to close, but we

actually have something called the prohibitive-to-repair grant, which allows us to provide better programming in better schools. In fact, all over this province, we are replacing schools that are old, that are worn out, and making sure that the kids have a better program, a better opportunity to achieve, a better opportunity to graduate.

That's what we believe in: a better experience for students, not necessarily a school building on every corner. Thank you very much. I will be opposing this motion.

**The Acting Speaker (Mr. Ted Arnott):** Mr. Runciman has moved opposition day number 4. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1732 to 1742.*

**The Acting Speaker (Mr. Ted Arnott):** All those in favour of the motion will please rise one at a time and be counted by the table.

#### Ayes

Bailey, Robert  
Barrett, Toby  
Gélinas, France  
Hardeman, Ernie  
Hillier, Randy  
Jones, Sylvia

Klees, Frank  
Marchese, Rosario  
Miller, Norm  
Ouellette, Jerry J.  
Runciman, Robert W.  
Savoline, Joyce

Sterling, Norman W.  
Wilson, Jim  
Witmer, Elizabeth  
Yakubski, John

**The Acting Speaker (Mr. Ted Arnott):** All those opposed to the motion, please rise one at a time.

#### Nays

Aggelonitis, Sophia  
Albanese, Laura  
Arthurs, Wayne  
Best, Margaret  
Brown, Michael A.  
Brownell, Jim  
Bryant, Michael  
Cansfield, Donna H.  
Caplan, David  
Carroll, Aileen  
Colle, Mike  
Crozier, Bruce  
Delaney, Bob  
Dickson, Joe  
Dombrowsky, Leona  
Duguid, Brad

Duncan, Dwight  
Flynn, Kevin Daniel  
Gerretsen, John  
Hoy, Pat  
Jaczek, Helena  
Jeffrey, Linda  
Kular, Kuldeep  
Kwinter, Monte  
Lalonde, Jean-Marc  
Leal, Jeff  
Mangat, Amrit  
Mauro, Bill  
McMeekin, Ted  
McNeely, Phil  
Meilleur, Madeleine  
Mitchell, Carol

Naqvi, Yasir  
Oraziotti, David  
Phillips, Gerry  
Pupatello, Sandra  
Qadri, Shafiq  
Ramal, Khalil  
Ramsay, David  
Rinaldi, Lou  
Ruprecht, Tony  
Sandals, Liz  
Sorbara, Greg  
Sousa, Charles  
Watson, Jim  
Wilkinson, John  
Wynne, Kathleen O.  
Zimmer, David

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 16; the nays are 48.

**The Acting Speaker (Mr. Ted Arnott):** The ayes being 16 and the nays being 48, I declare the motion lost.  
*Negated.*

**The Acting Speaker (Mr. Ted Arnott):** It being 5:45 p.m., this House stands adjourned until tomorrow at 9 a.m.

*The House adjourned at 1745.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Aggelonitis, Sophia (L)	Hamilton Mountain	
Albanese, Laura (L)	York South–Weston / York-Sud–Weston	
<b>Arnott, Ted (PC)</b>	Wellington–Halton Hills	First Deputy Chair of the committee of the whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Arthurs, Wayne (L)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (L)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (L)</b>	Sudbury	Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
<b>Bentley, Hon. / L'hon. Christopher (L)</b>	London West / London-Ouest	Attorney General / procureur general
Berardinetti, Lorenzo (L)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (L)</b>	Scarborough–Guildwood	Minister of Health Promotion / ministre de la Promotion de la santé
Bisson, Gilles (ND)	Timmins–James Bay / Timmins–Baie James	
<b>Bradley, Hon. / L'hon. James J. (L)</b>	St. Catharines	Minister of Transportation / ministre des Transports
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## Legislative Assembly of Ontario

First Session, 39<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)



Wednesday 4 June 2008

Mercredi 4 juin 2008

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
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Greffière  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 4 June 2008

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 4 juin 2008

*The House met at 0900.  
Prayers.*

## ORDERS OF THE DAY

### PHOTO CARD ACT, 2008

### LOI DE 2008 SUR LES CARTES-PHOTO

Mr. Bradley moved second reading of the following bill:

Bill 85, An Act to permit the issuance of photo cards to residents of Ontario and to make complementary amendments to the Highway Traffic Act / Projet de loi 85, Loi permettant la délivrance de cartes-photo aux résidents de l'Ontario et apportant des modifications complémentaires au Code de la route.

**The Speaker (Hon. Steve Peters):** The Minister of Transportation.

**Hon. James J. Bradley:** I rise in the House today to begin debate on new legislation that, if passed, would maintain Ontario's economic prosperity while improving access and opportunity for all Ontarians. Our proposed legislation, the Photo Card Act, is of importance to many Ontarians.

I will be sharing my time with my parliamentary assistant for transportation, Mike Brown, the member for Algoma, who will resume debate on this legislation when I have completed my remarks.

I'm sure many of our members are aware that the western hemisphere travel initiative is almost completely phased in. Air travellers have been subject to the new rules since January 2007, and at our land and sea border crossings travellers from Ontario are already being asked to prove citizenship and produce identification documents when crossing the border.

On June 1, 2009, the US government will require all visitors to prove their citizenship using a passport or an accepted passport alternative. With just over half of all Canadians holding a passport, we want to make it as simple as possible for Ontario travellers to have access to a secure border crossing document. An enhanced driver's licence could be used as a passport alternative at all Canada-US land and sea border crossings. This will mean less traffic congestion at the border and fewer delays for travellers and commercial drivers.

Our borders are the economic gateways to this province and, as government, we must be responsible for

keeping them safe, open and accessible. Every day more than 92,000 cars, and over 22,000 trucks carrying \$650 million in goods, cross our borders. That amounts to more than \$330 billion in trade every year with the United States, Ontario's largest trading partner. In fact, nearly 60% of all of Canada's trade with the United States passes through these borders.

If this legislation is passed, our enhanced driver's licence would offer the same privileges as the existing driver's licence and would include additional information needed to show proof of Canadian citizenship. We are taking the right steps to make border travel more accessible and help reduce congestion, potentially saving our economy millions of dollars.

We also propose to provide a photo identification card for Ontarians who do not or cannot drive. Like the enhanced driver's licence, our photo card could be enhanced for use as a convenient passport alternative.

Of course, Ontarians who choose to add citizenship information to their driver's licence or photo card would expect this information to be protected from those who should not have this information. That is why we have already recommended a number of key security measures to Ontario's driver's licences. Anyone who has renewed their licence during the past few months will have noticed these new, leading-edge security features, such as a laser-engraved photo and signature, a fine-line security background and a 2D bar code. Making sure all these cards are issued legitimately is also critical to combatting fraud and identity theft. We propose to ensure the integrity of our licence and photo card issuing systems through photo comparison technology. This state-of-the-art technology would help us make sure multiple cards are not issued to the same individual under different identities.

The reality is that Ontario's driver's licence card is among the most commonly used documents for identification purposes. Proof of identification is frequently requested for everyday transactions such as opening a bank account or proving age for a senior discount. The photo card we are proposing today has been long advocated by groups representing people with disabilities and seniors. If passed, this legislation would improve access to many everyday services and conveniences. Like drivers, photo card holders would have the option of adding citizenship information to their cards. This enhanced photo card could then be used in much the same manner as the enhanced driver's licence, serving as a convenient travel document for entering the United States.



Our government has worked closely with the Canada Border Services Agency and the US Department of Homeland Security to make the enhanced driver's licence and enhanced photo card programs a reality. And we have worked with Ontario's Information and Privacy Commissioner every step of the way. Most recently, the commissioner has spoken to the federal government and identified the need for federal officials to support the province in providing citizenship information on its cards. We support the commissioner and are committed to ensuring the protection and privacy of personal information, and we will continue to work with her throughout the development and implementation process.

Stakeholders such as the Canadian Council of the Blind, the Canadian National Institute for the Blind, the United Senior Citizens of Ontario and the Ontario Provincial Police, for example, have contributed valuable input. Each of these organizations—and there are many—is to be commended for getting us to where we are today. We will continue to work with all of our stakeholders and counterparts to implement this legislation. Removing barriers to access enhances opportunity for everyone. So I again ask my colleagues today to support this legislation.

0910

There is some history to this legislation, as members of the Legislature may be aware. I see my colleague from the Renfrew area here today. I was in the presence yesterday of his brother Mark Yakabuski, who is the president of the Insurance Bureau of Canada. What a distinguished individual and what a pleasant individual to deal with. I told him about his brother in the Legislature, and he was happy to accept the compliments and comparisons that were taking place at the time. But I know that all members of the Legislature are interested in this alternative.

The history of this is that after the attacks on New York City and Washington in September 2001, there was considerable and understandable concern about the fact that security would have to be increased significantly. What is actually sad about those attacks, among many things—the loss of life of course being the first and foremost, the loss of very expensive buildings and the damage that was done physically as well as the lives that were lost and the people injured—all of those are extremely significant and traumatic. But in addition to that, subsequently what we have is a situation where there has been an obsession—and an understandable obsession—with security, particularly in the United States, where the attacks took place and the effect is most profound. As a result, the Congress of the United States passed a rather interesting act called the western hemisphere travel initiative. It was going to require, among other things, documentation that would be a passport or another secure document for anyone coming into the United States from another country or for American citizens returning to the United States.

By the way, I am encouraged, I might note at this time, that the state of New York is at the present time working on a situation similar to ours; that is, a more

secure driver's licence for the purpose of entry back into the United States. And we in Canada have expressed a view that we would be prepared to accept that.

There was a very significant outcry for security measures. But when people who reside along the border, or within 100 or 200 miles of the border, understood the ramifications of demanding a passport and only a passport or another very secure document that was difficult to obtain and perhaps expensive—when this was determined to be a great imposition on people crossing the border, we had friends on both sides of the border who were talking about finding an alternative. So this never was a fight between Canadians and Americans; or, in the United States, between Democrats and Republicans; or, in Canada, between our political parties—it was always a difference of opinion largely between those who reside along the border or within 100 or 200 miles of the border and those who were further into the interior, who did not perhaps appreciate the negative impact that such a provision would have. As a result, there were many of us who decided we would seek an alternative.

At the time, fewer than 25% of Americans happened to have a passport; 35% to 40% of Canadians probably had a passport. That meant that the majority of individuals did not have a passport. And it was unlikely that particularly those of us who reside near borders or have visitors from the United States coming to our areas—the member for Timmins–James Bay is here at the present time. He would have hunters and fishers who come up to his area from the United States, and other visitors who want to enjoy everything there is to enjoy in his riding. He would know that it's likely that those who travel every year and business travellers would be in possession of a passport. But for those who are more impulse visitors or decided one year to do so, the fact that they would have to go through the process of getting a passport may have deterred them from visiting our province and our country. That is why we looked for an alternative.

I want to give great credit to our friends on the other side of the border who are allies of ours on this particular issue. As a result, in British Columbia they have a pilot project with an enhanced security driver's licence issued to some people on a voluntary basis, and correspondingly, in the state of Washington a similar circumstance exists where in a pilot project a more secure—enhanced, as we call it—driver's licence is accepted for crossing the border.

Premier McGuinty has met on many occasions with officials of the United States, including the Great Lakes governors, who are quite sympathetic to the position that all of us are taking on this issue. I think the Premier met with other governors as well in different venues in the United States and, in some cases, in Canada and discussed this particular issue. As well, I have had opportunities on many occasions to meet, in Washington and other venues, with officials from the United States government and with those who are sympathetic in the United States to the position that Ontario was taking.



Initially, I think there was an inclination to accept things. I remember there was a meeting of Prime Minister Harper, the President of Mexico and the President of the United States in Cancun, Mexico. When they emerged from that meeting, Prime Minister Harper said, "Folks, you'd better get used to it. This is going to be the law." I think perhaps on that occasion the import of that was not impressed upon the three leaders. Even the President of the United States had said at one point in time that when he signed very detailed legislation, he may not have been aware of all of the potential implications of that legislation. Remember, it's a very comprehensive bill. And he was a governor in Texas, so he was a state governor who knew the importance of travel across borders.

Prime Minister Harper, I'm pleased, changed his position and the federal government changed its position when many of us along the border—I'm sure including members of the government caucus in Ottawa—recognized that we'd better find an alternative, we'd better look for an alternative, because the provision of a passport only would be very onerous. So meetings continued, particularly the provinces that were interested.

A year ago in April I went to Washington. Our officials, by the way, were very helpful and very accommodating at the Canadian embassy in Washington. On that occasion, I got an opportunity to meet with officials of the Department of Homeland Security and the Department of State in the United States and indicated that we in Ontario had developed the beginning of a more secure driver's licence—secure in terms of the security provisions within it. We enhanced security considerably, and from this basis we could add additional information which would be attractive, I thought, to them to use for going across the border. I was very pleased that they were open to the idea and informed me at the time that the state of Vermont was looking at that. We now know that Manitoba and Quebec are looking at this opportunity as well. What our hope is and what I see happening is that states on the other side correspondingly will develop a system where an enhanced driver's licence is used for the purpose of crossing the border and then crossing back into the United States. Because if we were to require passports, that would be difficult. It would have very significant ramifications for tourism and trade between our friends in the United States and ourselves. So meetings continued.

Representative Louise Slaughter in New York state led the charge in the United States Congress in terms of trying to, first of all, postpone the date of implementation—that was done successfully—and then to look at other aspects which would make it less onerous. I commend her for her work. And there were many others—to be fair, there were many others. I remember one day phoning the offices of two people in the United States Congress, Senator Ted Stevens of Alaska and Senator Patrick Leahy of Vermont. Those are two individuals who probably don't agree on a lot of things in the United States Congress. But here they were, they had co-

sponsored a bill to delay the implementation. What would bring Senator Leahy and Senator Stevens—one a liberal Democrat, the other a conservative Republican—together on a piece of legislation? Well, geography did, because they both represented states which were adjacent to Canada, and they recognized the importance of movement of people between those two countries.

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I was very encouraged when I saw that we had allies in the United States. I remember meeting with Governor Taft of Ohio; he was governor of Ohio when he was here in Toronto. We happened to be at the same tourism event. We had a lengthy discussion about the matter, and even though Ohio does not border directly on Ontario, he recognized the importance of the citizens of Ohio being able to visit here and then come back, and Canadians being able to visit Ohio and come back. There's been a long history of visitation between Americans and Canadians. Whether it's hockey teams travelling back and forth, marching bands that have appeared in parades on both sides of the border, friends visiting friends, business people visiting business people, sports fans attending events, there are a lot—

**Interjection:** The Cleveland Browns.

**Hon. James J. Bradley:** I hear mention of the Cleveland Browns. Many years ago, people used to travel to see the Cleveland Browns from a long distance; now, probably more the Buffalo Bills or Detroit Lions, because they're right on the border. But the Cleveland Browns would still have a large delegation of fans here. Correspondingly, Americans love to come up to Canada to enjoy what we have to offer.

We had to find an alternative. It wasn't easy. You will recall that early on there were US officials who said that nothing but the passport would be accepted. The ambassador of the United States said that, and he was being honest and up front, because that was the position of the administration at the time. I think as time evolved and people explained what could be used as an alternative, homeland security became more interested and more accepting, as long as all of the security provisions could be found within that document.

What is the advantage of the document? First of all, before I talk about the advantages of a licence rather than a passport, I'll go back. People can still get a passport; I must say that. If they want to get a passport, they can get a passport. If they want to get a Nexus card, they can get a Nexus card for crossing the border, or other special cards that require a lot of security checks. They can get that.

But I can say that the advantage of the licence is that it's a document that most people have in their wallet—younger people may not. I wrote to the Department of Homeland Security on behalf of the province of Ontario. I was given the responsibility by the government of Ontario as Minister of Tourism at the time to submit a document to the Department of Homeland Security indicating some of the changes we wanted to see.



One of the things I suggested—I wasn't by any means the only person suggesting this—was that children up to the age of 16 should be exempt from the WHTI provisions. Then I also suggested that those aged 16 to 18 who were travelling in groups—hockey tournaments, baseball tournaments, marching bands—under special conditions, as long as they had adult supervision and so on, should have the opportunity to be able to travel back and forth without a passport.

I'm happy to say that the United States government accepted both of those suggestions. I want to underline that I wasn't the only one who suggested them; I assure you of that. They would have received that kind of submission from many.

**Mr. Gilles Bisson:** Don't be so shy about claiming credit.

**Hon. James J. Bradley:** My friend says, "Don't be shy about claiming credit," but I want to be realistic and say that I'm sure there are many others who were submitting the same idea.

What was encouraging was that they accepted the ideas that were submitted. But invariably the people along the border, when we met, whether they were tourism officials or business officials, said that a more convenient card is necessary. That is why we wanted to develop the enhanced security licence card as an identification piece to get into the US, and for those who don't have a driver's licence, to develop such a card.

By the way, there will be two possible cards for those not drivers. One will simply be for identification purposes when it's in place, but if you wanted to enhance it, if you wanted to put citizenship on it and accept the enhancements needed, you could do that as well. It would be the choice of the individual. What we require from the federal government—and I am very optimistic, because we've had co-operation from the federal government—is information that would be available on citizenship. The privacy commissioner of Ontario has suggested that the federal government provide that to the provinces and not have a bank of such information in each province, that it would be better for the federal government to do that, and again, I'm hopeful that the federal government will indeed do that.

My friend Ted Arnott is across from me. He used to be the critic in tourism. I remember one day he got up in the House and said, "Well, why would you develop a card of this kind which simply makes it easier for Canadians to go into the US?" Of course, we do it because Canadians have asked that, but also we do it to encourage our American friends to correspondingly develop this card. I'm happy to say I read in a newspaper from New York state that as of Labour Day this year, New York state will have produced an enhanced security driver's licence that will be accepted for Americans going back into the United States.

I think we've seen some progress and some success. There isn't anybody on either side of the border who doesn't recognize the need for increased security. We also recognize, however, that we have a special relation-

ship between Canada and the United States that should be enhanced and not detracted from. Senator Coleman from Minnesota, I believe it was, said, "We should not embark upon a war on terrorism by embarking on a war on tourism," or words to that effect, and that has been repeated in different ways. Why would we do this to ourselves? The goodwill of people on both sides of the border—and I want to commend members of the United States Congress, the Congress presently elected who are sitting in the Senate and the House now, and members of state Legislatures, governors, senators and members of the administration who have modified their position when they recognized that the alternative we're providing is a reasonable alternative.

I want to say as well that this is only one alternative. People may choose not to get this if they wish, because the designation of citizenship will be on the licence. So this is voluntary on our part. In British Columbia, I should note that only 500 licences have been made available on a pilot project basis. We anticipate many more in Ontario. But what we have seen in some circumstances—and that is a choice that people make—is that some people who are close to the border have decided to get a Nexus card, as we call it, crossing the Niagara River. That requires quite a bit of background checking that takes place. Or some people have said, "Look, I travel internationally; I want to get a passport." Both of those are fine. We're providing yet another alternative for people, and I think that's what they're looking for.

I suspect, and I've noted this in the House, generally speaking, that members of all political parties in this House have said that it is desirable to have this kind of alternative. I think we recognize—each one of us, from our three political parties—the importance of having that option available to us.

I indicated that I was going to yield the floor to my colleague the parliamentary assistant in transportation, the distinguished member from Algoma-Manitoulin, and I'm going to do so at the present time.

I encourage all members of the House to give this matter serious consideration and I hope support eventually. I look forward to reading the Hansard for the comments that are going to be made on it. I know they'll all be constructive and helpful, as members of the Legislature try to be constructive and helpful on matters of this kind. I hope eventually, though that's the choice of the Legislature, that this legislation will be passed into law, enacted and that the new identification cards—licences—will be available to the citizens of Ontario as an option to be used to enter the United States.

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**Mr. Michael A. Brown:** I rise in the House today to continue the discussion on important new legislation that, if passed, would help keep people and goods moving across Ontario's borders. I do not need to remind members of the House that our borders are gateways to this province, and as a government, we must be responsible in keeping them safe, open and accessible to help maintain a strong and prosperous economy.



Our proposed legislation, the Photo Card Act, is a step in the right direction. It supports Ontario's plans to improve the flow of trade and travel between our province and our neighbouring American states.

This proposed legislation would pave the way for the creation of secure photo identification cards for Ontarians, including an enhanced driver's licence card that contains citizenship information. A new, enhanced version of the Ontario driver's licence would become an acceptable travel document, a passport alternative, for Ontarians to use at all Canada-US land and sea border crossings.

If passed, our government will also develop a photo identification card for people who do not drive or who are unable to drive. Like the enhanced driver's licence, the enhanced photo card could be used as a convenient passport alternative, something that you could have in your wallet or purse.

Millions of US citizens visit Ontario every year. They come here to spend their hard-earned dollars. These visitors pour hundreds of millions of dollars into our province's economy, and we cannot afford to keep them away.

As many of us are already aware, the United States government has started implementing the western hemisphere travel initiative, WHTI, one of the key recommendations from the 9/11 commission report. The western hemisphere travel initiative is being implemented in stages. Since January of last year, travellers entering the United States by air have been required to present a passport or other accepted secure document proving citizenship. Since January of this year, travellers crossing into the United States by land and sea have also been required to show proof of citizenship with their identification, such as a birth certificate. On June 1, 2009, all travellers entering the US will be asked to present either a passport or an acceptable passport alternative at the border.

As a province, we have to be ready. Our economy depends on it, and the people of Ontario depend on us.

A recent Canadian Tourism Research Institute study estimates that border delays cost Ontario more than \$5 billion annually. Without new measures to deal with the new western hemisphere travel initiative rules, it has been predicted that Ontario could lose nearly 1.5 million US visitors every year unless we take action now—not to mention the added congestion at our borders if people cannot safely and freely cross.

The statistics speak for themselves: Right now, about 55% of Canadians hold a valid passport. Not everybody has a passport.

Ontario's long-standing position has been to support the US government's goals of improving security. At the same time, we want to have this happen in a way that continues to allow the efficient flow of legitimate travel and trade.

Many other states and provinces see a definite need to pursue their own enhanced driver's licence and photo card programs. Michigan expects to implement its pro-

gram in early 2009. Manitoba intends to implement its program in the fall of 2008. British Columbia has already launched a pilot program of the enhanced driver's licence. Quebec is aggressively planning the implementation of a new card. New York expects to implement its program in the summer of 2008.

As a province, we cannot stand by. We must take action now. Ontarians need safe and secure alternatives so we can access our borders in time for the 2009 western hemisphere travel initiative deadline. Our neighbours expect us to move forward with our enhanced driver's licence and photo card programs to protect the safe and efficient flow of people and goods across our borders.

As an aside, I would just mention that I've had the opportunity, with many members from all sides of the House, to work with Americans in the states that border Ontario; in fact, states in the Midwest and eastern US in general.

I had the opportunity about this time last year to be in Washington, DC, with a senator from Indiana who was a co-chair of an international committee of the Midwest conference of American state legislators. We had the opportunity to visit senior officials of homeland security and discuss WHTI with them at that point and how we would deal with it, just to get their views on where they were in the implementation. Later, the next day, we also had the opportunity to talk to people at the state department. There is a tremendous willingness in the US, especially along the border, as the minister said, to find acceptable alternatives. But when we were at homeland security, one of the interesting things, to me anyway, was that the next day people from homeland security were coming to Ontario to see if our driver's licences were secure—how we actually issued them, the actual technical way we produced driver's licences in Ontario. They came and they found that to be acceptable. At the time, it was the very next day they were coming here to Ontario to do that. So we were working very hard on both sides of the border to make sure that we do have secure borders, but we also allow people and goods to move across the borders in a particularly efficient way.

I am the son of a customs officer at Sarnia who later was the manager of customs at Sarnia, so I know something about borders. I remember that in the early days—like most people who grew up along the border, we had family on both sides of the border—you could cross the border in a totally different way. I think the Speaker would know that; he's from near a border too. We all have people who move across the borders on a regular basis. In those friendlier times it was so much easier. But the world has changed, and we have to find methods of making sure that we can meet the realities of the world we live in. I think this particular legislation—

**Mr. Gilles Bisson:** Was that before the Blue Water Bridge?

**Mr. Michael A. Brown:** No, it wasn't before the Blue Water Bridge. I thank the member for Timmins—James Bay.



**Mr. Gilles Bisson:** I remember when they built it; I was there.

**Mr. Michael A. Brown:** In 1936; right. I digress.

Anyway, as I was saying, it was a different time. Now we need to find a document that works. I think that with the will of all members of the House we will find that solution. I'm looking forward to an interesting debate on second reading. There are certainly privacy concerns that need to be addressed. There are issues that will be raised that are obviously legitimate. I look forward to working with the members of the House to find a solution that is good for Ontario and good for Canada.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. John Yakabuski:** I'm pleased to respond to the minister and his parliamentary assistant on Bill 85, the Photo Card Act. I commend the government for finally moving forward with this initiative. It's something that people have been looking for since 9/11, to remove some of the awkwardness that people encounter when crossing our common border with the United States. The minister said a couple of things in his address yesterday about this being part of promoting a strong economy and that "Each year, millions of US citizens visit Ontario, pumping hundreds of millions of dollars into our ... economy." Further on he said, "This is about promoting tourism and working with our neighbours." I want to touch on that because the Minister of Transportation is a former Minister of Tourism.

I think that this government missed a great opportunity when our party—our leader, John Tory, and Tim Hudak, our finance critic—

**Mr. John O'Toole:** Ted Arnott.

**Mr. John Yakabuski:** —and Ted Arnott, our tourism critic—made some significant and specific proposals that would have enhanced our economy this summer from the point of view of tourism. This card is supposed to be all about tourism. Why aren't they adopting, or at least looking at, some of the changes that we have proposed, some of the initiatives, some of the enhancements, some of the attractions and promotion things that we had put forward, specific things with regards to tax exemptions for hotel rooms and attractions and stuff like that that would help bring more tourism dollars to Ontario? The studies are showing that we're suffering in that regard.

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While this card is important—and, again, I commend the minister for finally moving on this; it's something we've been hoping for for some time, because people on both sides of the border have demanded it and expected it—they should be looking closely at what our party proposed with regard to promoting tourism in Ontario, and the dollars and the help to the economy that would mean. This card could be part of it, but don't forget, when the opposition proposes something, you can't just dismiss it out of hand.

**Mr. Gilles Bisson:** I appreciate the comments that were made by both the minister and the parliamentary assistant. I thought it was a good summation of where

we're at and where we're from. I'm going to get a chance in a few minutes to start the lead for the New Democratic Party and I want to talk a little bit about how we got here, what we're doing and where we're going. I'll get a chance to talk to that a little bit later.

A question to the parliamentary assistant or the minister, whoever wants to respond: One of the things that was not mentioned in the debate is how much this is going to cost from the perspective of the citizen. We know, for example, that we're now going to have three types of photo IDs. We're going to have the basic one for anybody over 12 who needs a photo ID as a means of identification. If the person happens to be a citizen, he or she will be able to get the enhanced, which is basically the photo ID with the civic information on it, that you're a Canadian citizen. Then there is the combined one that has a driver's licence. For many people, this photo ID will be the only acceptable means of identification with a photo on it, and we want to make sure that we don't make the cost so exorbitant that it becomes an issue. For example, I'm a young 13- or 14-year-old or I'm somebody on a fixed income and I happen to live in Sarnia. I need that photo ID to get in the car and travel across with whom-ever, whenever we go across the border. Is the cost going to be so high that it will prevent people from getting it? So one of the questions I want a response to is, what do we expect the cost will be for the purchase of the various types of photo ID?

The other question I have—and I'm going to talk about this a little bit later in debate—is the issue of accessibility to these new super driver's licences, as I like to call them. I understand there's going to be a bit of a pilot—not a pilot, but it's going to be rolled out in various communities differently. I would just say, if you're living in Sault Ste. Marie or Timmins or wherever, are you going to have the same access to the application for those enhanced driver licences for the purpose of travel? If I can get a response to that, I'd appreciate it. Thank you.

**Mr. Yasir Naqvi:** First of all, I would like to congratulate the Minister of Transportation and his parliamentary assistant for introducing this extremely important piece of legislation. I want to quickly talk about the aspect dealing with photo identification for those Ontarians who do not have a driver's licence. In the last few months, I have heard from many of my constituents in Ottawa Centre who have indicated that they do not drive, for various reasons—some are senior citizens, some have certain disabilities. This has put them in a peculiar position: They do not have a driver's licence, thus they do not have a valid photo ID, which is needed in many instances.

Recently, I received a letter from a constituent who highlighted several circumstances where a driver's licence is extremely important, and I just want to read those circumstances. She states:

"Without a driver's licence, it is difficult to:

"—board an airplane for domestic travel;

"—obtain or update an Ontario health card ... ;



“—obtain and update a library card;  
“—open and close a bank account, apply for a mortgage...;  
“—act as executor of a will and power of attorney;  
“—obtain a marriage licence;  
“—register children at local schools;  
“—register for courses at local community centres;  
“—borrow special equipment at events for disabled patrons.”

These are some of the very key things in our daily lives that we need, and this particular legislation will allow those individuals who do not drive to get an enhanced photo ID card which then can be used, as we use our driver's licence, to ensure that they continue to lead and live a normal life. So I'm extremely excited that this particular piece of legislation is being introduced.

Once again, congratulations to the Minister of Transportation and his parliamentary assistant for taking this step. It is definitely going to help many individuals in my constituency of Ottawa Centre by giving them a proper piece of photo ID in the province of Ontario.

**Mr. Ted Arnott:** I'm pleased to have this opportunity to respond to the Minister of Transportation and his parliamentary assistant in their opening presentation on second reading of Bill 85. As we know, this bill was just introduced yesterday, so members have not had a great deal of opportunity to review its contents or consult with stakeholders. Our party has indicated support for this bill, and I'm sure that it's not going to have to receive extensive second and third reading debate, but there are important points that have to be raised.

When I got my Canadian passport a couple of years ago, my recollection is that I paid \$75 for it, if I'm not mistaken, and it was for five years. I don't think the minister or the parliamentary assistant has indicated to the House this morning how much this new, enhanced photo card is going to cost. If it's going to be effective, it will have to be much less expensive than that. I wonder if it's going to be the same cost as a driver's licence. It's \$60 or \$70, if I'm not mistaken, for a three-year driver's licence and I expect that is based on the administration cost. So I think that is an important point that needs to be clarified in this debate.

I also want to put this in perspective in terms of the tourism industry, because the minister has made reference to how this will, in his mind, benefit tourism. The minister is a former Minister of Tourism, of course, and while Minister of Tourism he advocated for this, so he is obviously following through now that he is in a position to do so as Minister of Transportation. But the fact is, the western hemisphere travel initiative has been a challenge for our tourism industry in Ontario because the American tourists we hope to attract to Ontario need the passport to get back home. That's where the confusion lies, unfortunately, and, of course, if this bill were to pass and if the government does create this new, enhanced photo ID card for Ontario residents, it doesn't directly solve that problem that we have in tourism. To some degree, I suppose, we can encourage the American states to follow our

lead, but let's keep this in perspective. This doesn't help tourism today as much as we would perhaps be led to believe by the government.

**The Deputy Speaker (Mr. Bruce Crozier):** A response? The member for Algoma-Manitoulin and parliamentary assistant to the Minister of Transportation.

**Mr. Michael A. Brown:** I want to thank the member for Renfrew-Nipissing-Pembroke, the member for Timmins-James Bay, the member for Ottawa Centre and the member for Wellington-Halton Hills. I appreciate the constructive comments that have been made by the members.

As we move forward in this debate, I think it's extremely important and one that the government clearly hopes all members will be able to support at the end of the day. I recognize the concern about the cost that has been raised by at least two of the members, and I want to tell them that the government believes this to be in the \$35 to \$40 range for five years. A \$35 or \$40 charge to the consumer that would be, I guess, amortized over five years, so to speak, is hopefully something that can be absorbed by most Ontarians. I think that's a consideration. We should know, though, that for minors, that is, people under 16—I'm not sure of that number; I can check—there isn't a requirement that they have one of these anyway. The Americans have seen fit to allow young people travelling not to need this under certain circumstances. So, for young people, that shouldn't be a burden.

I think you have to recognize that we are working with other provincial jurisdictions, with American states and with the federal governments of both Canada and the US to find a document that is affordable, easily transportable—i.e., a driver's licence, so it's in your wallet anyway for most people—and that can be used to facilitate easy passage across the border.

I take your comments, though, under advisement and I appreciate the tone of the debate.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Gilles Bisson:** First of all, I want to thank the Conservative and Liberal Parties for allowing me to go a little bit out of rotation here. Tomorrow would have been my normal day for the lead speech for the New Democratic Party, but seeing that another bill is in committee and I have to be there at the same time, I appreciate the co-operation in the House.

I want to say up front, because I want people to understand clearly where we are at as a party, that we are going to support this legislation. I think it needs to go to committee. There are a few concerns that have to be addressed and we probably can do that at committee. But I want to say up front that the New Democratic Party will be supporting this.

I want to talk a little bit about the context, about how we got here. This is probably the only debate where I have had a chance to actually speak out on this since 9/11. Unfortunately, we had that tragic day where the people in the twin towers and the people on the plane in



Pennsylvania and the people at the Pentagon were killed as a result of terrorist attacks. Clearly I am not saying for two seconds that was a good thing. It was a terrible thing, it was a tragedy. People shouldn't have to die in that way, specifically because people are unhappy about what's going on in the world, the current events and what's happening politically. You would hope that in this day and age we are civil enough that we can figure out more peaceful ways of dealing with a lot of these issues.

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In fact, the American election is going to be about that to a certain degree because you have the view of Senator Obama, who is saying, "I think it's important that we talk to all people in order to open dialogue with other leaders about issues that may be sticky." For example, he talks about talking to North Korea. On the other hand, you have Mr. McCain, the presumptive nominee for the Republicans, who is saying, "No, you shouldn't do that." Clearly, the United States is going through this debate about it being better to throw bombs or talk to people. I think I'll leave the American people to decide which way they want to go, but I know, as a Canadian citizen, we have a long history in Canada, and certainly in Europe, of diplomacy always being a better way of approaching these things.

It relates to this bill, and this is why I want to talk about this. After the tragedy of 9/11, President Bush needed to do something to retaliate and to be seen as doing something against the tragedies of the twin towers, and I understand that. He's an American citizen, his citizens were murdered, and he is the President of the United States and had to be seen as doing something. One of the things that he did was create the homeland security organization, and some of the steps they have taken since then have gone counter to the essence of a democratic society.

We, in North America, have been quite lucky. We've talked for years about Canada and the United States sharing the longest undefended border in the world. It is nothing for a Canadian or an American to cross from one side of the border to the other and goods and services to move from one side of the border to the other. Even though we are two sovereign and independent nations, the United States and Canada, we understand we have shared goals. We have an economy that is part of the North American economy and we need to do business as each other. By and large, we don't see each other as enemies; we see each other as friends. Oh yes, there is always the rivalry between the hockey clubs and the baseball clubs and even some people's political views, vis-à-vis left and right, Canada being seen as a little bit more left and the United States being seen as probably far more right than we would like, as far as right-wing politics.

What this has done, in my view, this whole debate about needing to increase security in the United States to protect ourselves from a possible terrorist attack, is fly in the face of what democratic society is all about and to require that citizens of those democracies, in Canada and

now the United States, go through some added layers of scrutiny as far as exercising our rights as citizens in a democratic society.

I remember, and some of you would remember when you were younger, watching the 1950s, early 1960s TV shows where they used to depict the Soviet Union as a country where everybody carries a gun. Remember that? They'd be at the airports, and you'd see the security guys carrying the guns at the Soviet airports or somewhere in one of the eastern nations. The police were very present and there seemed to be a sense that there was paranoia on the part of the state about people's ability to move freely within their society.

I remember thinking back then, "Boy, that's really an overreaction." As a kid, I thought, "That's silly. That's not the way things should be. We should be able to move and come and go as we please as citizens. We're not a threat to our society. We are the society." Right? I would look at these 1950ish, 1960ish Cold War type TV shows or movies, where they were really showing the paranoia of the Soviet Union and how restricted in moving freely citizens had become within their own state, because the eye of government was everywhere watching them. I thought, "Never are you going to see that in North America. Lord! We're a democratic society."

Well, I fear since 9/11 and since homeland security and the term of President Bush, we haven't gone maybe as far as the Soviets had, but certainly we're moving in the direction of the state having greater and greater control on the people's liberty to move within their own nation and the freedoms that they enjoy as far as expression etc. We've seen, for example, both in Canada and the United States, legislation that was introduced that limits a person's right to a trial. We have people who have been incarcerated in Canada for longer than would be normally allowed under the law, without any specific charges being laid, without any ability to defend themselves. Regarding the United States and what's happening in Guantanamo Bay—there may be legitimate terrorists there. I don't know. The point is that our society is built on the premise that everybody has a right to a trial, that you're innocent until proven guilty. That credo is especially true in the United States. What I've seen since 9/11 is that we've become much more restricting of the rights of individuals, and that troubles me greatly.

I don't for one second say that there aren't acts of terrorism happening in the world and that governments shouldn't do things to protect themselves and expose and try to deal with those acts of terrorism before they happen. Quite the contrary: I think the state has a responsibility. But when you take that responsibility and move to restrict your citizens, I think you might have crossed over the line.

I'm not accusing the Liberal government and the minister of having pandered to the Americans. We find ourselves living next to a very, very large neighbour. As Tommy Douglas said, the relationship between Canadians and Americans is akin to a mouse sleeping in bed



with an elephant. The mouse always has one eye open because it's worried the elephant might turn over.

That's a bit where we're at between Canada and the United States. Homeland security has decided that Canadian citizens will not be allowed into their country unless we have some means of identifying that these people are true Canadians and don't pose a threat to the United States. We're standing there on the other side of the border, shaking our heads, saying, "Listen, we've been your neighbour since our countries were born"—the United States in 1776, and Canada in 1867. We don't have a long history of lobbing bombs at each other and harbouring terrorists. Those things happen within the United States, as they can happen outside of the United States.

I would propose, despite this legislation and most other things that homeland security has done, that the United States is no safer than it was pre-homeland security measures, because if you're a terrorist and you want to take an act of terrorism to the soil of the United States, it ain't going to be a photo ID from Ontario that's going to stop you. I don't like that, but that's the reality.

Again, I'm not speaking against this legislation. I'm just speaking to the point that we might have thrown the baby out with the bathwater, especially the Americans and our federal government to a degree. We're stepping into very dangerous waters when we start restricting people's rights within a democratic society to freely assemble and travel and to speak and to act out according to what they want, within the confines of our Constitution. Our Constitution says people have the right to assemble, our Constitution says people have the right to expression, and our Constitution says people have the right to a trial. Where are we since 9/11? Much of that, especially in the United States and to some degree in Canada, has been somewhat limited.

I just wanted to start the debate by speaking to that a little bit.

Again, I don't accuse the government of anything. They didn't cause this issue. This is an issue where the President of the United States created homeland security, and they had to find something to do. They felt that somehow or other terrorists were coming in from Canada and that we were some sort of a threat, so they had to shut down the borders in some way. But I really think this is an overreaction.

The issue is, if they want to deal with the issue of terrorism, maybe they should start changing their foreign policy. My, that would be refreshing. Rather than sending in bombs and aircraft carriers and the Fifth Fleet as a response to political problems in other parts of the world, maybe the United States should try some diplomatic approaches.

If we take a look at the history of Europe, Great Britain used to be much what the United States is today. Great Britain, prior to the First World War, was the superpower of the day, and those Brits learned something over the years. They learned that, yes, they had a large navy and, yes, they had a large military, but they suffered

lots of losses as a result of wars that they had with various nations. The Brits learned after a while, especially after the First World War, that diplomatic mechanisms were better for resolving some of these things than trying to resolve things militarily. If you take a look at what happened after the First and Second World Wars, the Europeans took quite a different approach in the sense that they changed their foreign policy, not to make it reactionary but to try to be a little bit more proactive in dealing with some of these issues. Unfortunately, the Americans still need to learn that lesson. It's going to be interesting in this fall's presidential election because that debate should be prevalent, considering that Obama seems to have won the nomination for the Democrats and certainly Mr. McCain has for the Republicans, and they both represent a different view on this issue.

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I just wanted to start off the debate by talking about how it's sad that we have to pass this kind of legislation. I don't fault the Ontario government for doing it. If I were in government, I would have to do it as well. So I'm not for one second saying that the McGuinty government is kowtowing to the George Bush administration. The reality is that we live next to the Americans and we've got to figure out how to work with them. They have laws that say that they want this. We need to figure out how to make it as non-intrusive as possible to our citizens, and that's what this legislation does: It tries to find a bit of a balance—where not everybody has got to run out for a passport—to having some means of identification that allows us to continue to travel to and from the United States with the least amount of trouble as possible. So, enough said about that. I just wanted to put that on the record because I think how we got here needs to be said.

As for the legislation—oh boy, where do I start? Probably the best place to start is to talk a little bit about what the legislation does, for those members who may not have had a chance to read the act—I did so last night—and the people who might be watching. The legislation is not a bad piece of legislation. I think there are a few things that we're going to need to take a look at at committee. Basically, what we're doing is we're creating a photo ID type of identification, tied to a driver's licence or others, to give people easier access to crossing the borders.

There are three photo IDs that you're going to be able to get under this legislation. You're going to have the basic identification, which is where a person aged 12 and over can walk into a Ministry of Transportation office and say, "I want photo ID." Currently, there are not a lot of ways of getting photo ID other than a health card, and a health card is not always accepted everywhere. So if you don't have a driver's licence and you need photo ID to do some of the things such as were talked about by the member from Ottawa—and you need photo ID for applications for everything nowadays, for credit etc.—this will be a way for people to get that.

**Mr. Michael A. Brown:** The LCBO.



**Mr. Gilles Bisson:** The LCBO is a good example. You need photo ID when you're 19 years of age.

**Mr. Michael A. Brown:** They card you all the time.

**Mr. Gilles Bisson:** I got carded at the airport one day, and I thought it was ridiculous. A 50-year-old guy goes to the airport to buy a beer and he gets carded. I thought, boy, this is wonderful. I said to the guy, "Do I look that young?" He said, "No. We card everybody." Anyway, that's a whole other story. I thought it was a compliment; it turns out he was carding everybody who came in.

Anyway, my point is that Michael Prue, our member from Beaches–East York, has raised this issue a number of times. I know he had sent letters to the Minister of Transportation on this particular issue and advocated, along with other members in this House, to basically create a photo ID through the Ministry of Transportation so that people who do not have driver's licences would have an ability to apply for a photo ID that they can use for identification. That's the first part that this bill does: It creates a basic photo ID card that has your picture, says where you live, who you are and identifies you. So if you need to apply for a library card or buy a bottle of scotch or whatever it might be, you've got a photo ID in the event that you need one for application for whatever.

The second piece of information, the second type of ID coming out, is what's called the enhanced ID. That is for Canadian citizens who don't have a driver's licence or don't want a driver's licence and want to have a photo ID with their citizenship within the card. I believe that that card would not only allow them to use the ID within Canada, as far as the regular stuff—you know, going into the LCBO etc.—but it would also allow them to cross the border. In other words, I am the passenger in the car, I'm the passenger on the tour bus or I'm flying from city A to city B, from Canada to the United States. I would be able to use that, even though I don't have a driver's licence.

I think that's well thought through, because we need to recognize that it's not just people who drive cars who have the need to travel into the United States. On this point—having the enhanced card—I give the ministry credit for having thought that one through, because that was one of the things that concerned me at the beginning. I had some discussions with people about it. As Mr. Bradley said, I'm not going to take credit for it. I'm sure other people thought about this before me, but good. We've said it's not just drivers who need to travel into the United States, it's also citizens who don't have driver's licences.

The other thing is the combined card, which is basically that the person who does have a valid driver's permit will get photo ID and citizenship information on the card and get their driver's licence all in one, so that you can cross into the United States using your driver's licence. Rather than having a passport, a driver's licence, a health card and whatever else, you can just use your enhanced driver's licence, I guess I would call it.

I want to say that the reason we're doing this is because the government understands, as the opposition does, that the Americans have made a decision by way of

homeland security, and we need to move towards trying to find some way to make it easier for the citizens of Ontario to travel to and from the United States without having to go through the bother and the pain of applying for a passport. Hopefully this legislation, once passed, if passed, will give Ontario citizens that right. That's still to be determined to a certain extent, because the United States, being who they are and the way they operate, have not completely endorsed this, but at least we're moving forward with a few of the American states on this particular issue.

That brings me to a couple of concerns I have about the logistics of all of this. The first thing, and the parliamentary assistant spoke to it a little bit, is the issue of cost. Many people need to apply for the photo ID because it's the only means they have to identify themselves. The question I asked earlier of the parliamentary assistant was, "How much is this going to cost the individual?" I think the parliamentary assistant said it was between \$35 and \$40. For most people, that's probably not a big thing. For some more than others, it will be, especially if you're a younger person who is still at school. You have a number of high school students who are over 16 who may have need of this card. For example, they may travel with their parents into the United States. I suppose mom and dad can pay, but it's still an issue of cost to a certain degree. The only point I would make is that I'll be interested in hearing at committee from the people who come to present on this issue. Do they think that's a reasonable number? On the surface it might be, but is it? The question becomes, once we get to committee, should there be a sliding scale for rates with regard to how much you pay for these cards? For example, if you're a student, should you have to pay the same rate as an adult? There needs to be recognition that the person doesn't only have substantial expenses as a student—especially if they're in college or university, as far as loans they may need to get to school—but they don't have the income. So should we have a bit of a sliding scale on the fees you have to pay in order to get this card, this photo ID, or the enhanced ID or the combined ID? Should we have a different rate?

What about children under the age of 16? Yes, they don't need to have this enhanced ID to travel into the United States, because they're going to exempt kids under the age of 16, but there are a lot of people—13, 14, 12, whatever it might be—who are going to need this type of ID for very basic things that we do within our own communities. Again, is \$35 to \$40 reasonable to them? I ask the pages: You guys are in grade 7 or 8. How easy is it to come up with 40 bucks? Pretty tough. You had better hope mom and dad have the money. Again, I want to hear at committee, do we need to have a different rate for children under the age of 16? They are citizens as well. Just because they happen to be under voting age and under 16 years of age, they have to interact within our society. Many of them need ID for all kinds of different reasons; not necessarily for travel into the United States, but for basic applications for things they may need themselves, such as a library card, or identi-



fication to get into some events. Often photo ID is required. So should we have a different rate for kids under the age of 16?

When this bill goes to committee, I want to see if we're actually going to have those concerns raised: cost of the card for kids under the age of 16 and cost of the card for young people, especially if they're students. Should there be a different rate, and is the rate of \$35 to \$40 reasonable? I imagine it's going to be more for the driver's licence, I take it. I just assume that, because—

*Interjection.*

**Mr. Gilles Bisson:** The member from the government side is saying it's going to be the same for a driver's licence. I take it what that means is I will be able to renew my licence every five years. Well, that's not a bad thing, then. For me, I'm okay with that. It saves me the bother of having to do it every, I think, two years.

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**Mr. Michael A. Brown:** Five.

**Mr. Gilles Bisson:** Is it five? Okay, I thought it was every two. What do I know? It goes to show you can be in this place a long time and sometimes get it wrong.

For myself as a person who makes a very good salary, \$35 to \$40 is not an issue, but it might be for others.

The other issue in regards to the logistics of this thing is the whole issue of access, to be able to get the card. I didn't hear a response from the parliamentary assistant to the minister on that issue. The question is this: As I understand it, the minister was telling me that as we move toward this, should this legislation pass, there are going to be areas where these cards will be issued fairly soon. You need to put a whole mechanism in place in order to be able to do this. You have to have access to the federal database so that you can identify the person as a citizen. Obviously, you need some sort of change to the computer systems that we have at the Ministry of Transportation of some type; I don't know.

Second of all, you're going to need the ability to have the photo taken. I understand there's also in this legislation, as I read through it—I forget which section; if I had my glasses, I would know, because I marked it off here—section 6, photo comparison technology. This is actually a good thing, and I'll talk about that a little bit later, where a picture is taken of the individual who does the application.

It is not only put just on the driver's licence or the basic card, but it's also utilized in order to identify the person in the future. If the person comes back for re-application of a licence under another name, for example, they would compare the photos and they would know that this face belongs to Gilles Bisson. So I can't go in and apply for a driver's licence as John Doe and use that other ID for fraudulent reasons. I'll come to that a little bit later.

But my point is, does the ministry currently have the capacity to absorb the applications that are going to come forward from citizens in Ontario wanting to get this card? For example, where I come from in Timmins, as everywhere else, we have people who travel into the United

States on a regular basis. Some of them are going to want to get this particular card, this combined driver's licence. So the question becomes, will I be able to apply at an MTO office anywhere in Ontario to get one of these cards, and will I be able to get it reasonably quick?

I understand that they're going to be doing this in regions closer to the border first. That's how it's going to basically unfold. So if these cards are available, one of the things that I think we need to talk about and look at in committee again is, does the ministry have the capacity to roll this out? Do we have the capacity staff-wise? Do we have the capacity technology-wise to roll this out?

I see the parliamentary assistant is nodding yes. I would remind you, though, and you're going to know what I'm talking about—

*Interjection.*

**Mr. Gilles Bisson:** Oh, you're agreeing. I thought you were saying, "Yes." Okay, I hear you.

But all of us know because we've gone through this fiasco for about a year over passports. When homeland security and the American administration changed the rules so that you needed a passport to enter the United States, our offices were swamped with passport applications. I happen to be in a joint office with my federal member, Charlie Angus, so we got them all. We got the ones who went to the provincial member and the ones that went to the federal member wanting to get passports.

*Interjection.*

**Mr. Gilles Bisson:** Well, there were the birth certificates but I'm not going to get there.

**Mr. Mike Colle:** And the birth certificates.

**Mr. Gilles Bisson:** Yeah, I know; I understand that.

But my point was that the federal government did not have the capacity to deal with the onslaught of passport applications. So people were coming into our offices, applying for passports and having to wait, in some cases, three and four months to get their passport, when they had planned a trip two months ahead. People were jumping this high as they were coming into our offices and saying, "What gives here? I've got a trip to Aruba in January. I applied for my passport in October. I should have got it by now. I don't have anything back. I will not be able to travel."

Our offices—I'd imagine it was the same with your offices—had to intercede with the post office, with the people who do the courier services, with the passport office. Their MP liaison in Ottawa—my God, their offices were swamped with calls, all because, when the federal government in the United States said, "You have to have a passport to come into the United States," the Canadian government, being Stephen Harper, did like that little bobble in the back of the car and said, "Yes, Mr. Bush. Everything you say, I will do." Anyway, that's my making fun of Stephen Harper. I'm obviously not a big fan.

*Interjection.*

**Mr. Gilles Bisson:** No, I'm a big fan of Jack Layton. You've got that right. Jack Layton should be the Prime Minister of Canada. I think he'd make a great Prime



Minister. I'll tell you: We'd be far better off under a New Democratic government federally. I agree with the Liberal member for Oriole—whatever the riding is. Is it Oriole?

**Hon. David Caplan:** Don Valley East.

**Mr. Gilles Bisson:** It used to be Oriole.

*Interjection.*

**Mr. Gilles Bisson:** See—I go back a ways.

Anyway, I only say that the federal government did not have the capacity to deal with the increased applications for passports. As a result, Canadian citizens were put off because they couldn't get their passports in time. I'll tell you, we worked hard in our offices—Charlie Angus and myself, and our staff especially—at tracking people's passports. I remember instances of having to call the post office on a Sunday to get them to open, because we figured out by the tracking number that the darned passport had arrived on Saturday night and was sitting in the post office, and people were travelling at 6 o'clock in the morning on Monday. So it was like a horror story, all because the federal government did not have the capacity to deal with the increased applications.

All I'm saying is: If this legislation passes at third reading and gets royal assent and Ontario citizens know that they can get these photo ID cards, I could well imagine that there is going to be an onslaught of applications. There are many people in Ontario who travel to the United States, and they're going to say, "Okay, let me see if I've got this figured out. Forty bucks for a combined driver's licence"—how much is it for a passport now?

**Mr. Khalil Ramal:** It's \$75.

**Mr. Gilles Bisson:** I thought it was more than that. It's over \$100, I thought. But even if it's \$75, my point is that the citizen is going to say, "Apply for a passport to travel to the United States at \$75 or get my enhanced or combined driver's licence for forty bucks." The choice is going to be pretty simple.

I'm saying here today in the House—and remember: This is recorded in Hansard—the ministry had better have the capacity to deal with the onslaught of applications, because we will end up where the federal government ended up when it came to the passports. So on the issue of capacity, we need to do that.

The second issue is that we need to make sure that every MTO office that issues drivers' licences across this province has the capacity to deliver. I don't pretend for one second to believe I understand everything that has to happen logistically to make this happen, but they're going to need more staff. They're going to need the ability to take these enhanced photos that—what do they call it again? I always have to look at what it's called. It's called photo comparison technology. We're going to need equipment to make that happen. We're going to have to have our databases changed in some way etc. I hope we don't end up in a situation where border communities have it available today and everybody else has to wait till later, because I can tell you that people in Barrie, Timmins, Sudbury and other places aren't going to be too happy, as the member for Algoma-Manitoulin

well knows, and being an advocate for people in northern Ontario, he has some sympathy for what I have to say. So we need to make sure we have the capacity to issue.

The other thing I want to talk about before I get into a few other things is that I have been raising in this House the issue of the individual in Kingston who, unfortunately, drove a vehicle when he was impaired and, as a result of that, four people were killed. The man was charged with manslaughter and went to jail for a period of time. The sad story is that once the person was released from jail, he walked into a Ministry of Transportation office and, depending on the version, either because the ministry or the court made a mistake or the guy fraudulently changed his date of birth—God knows which one it is; everybody has a different version—the person was issued a brand new driver's licence and went back behind the wheel and started to drive. The problem we have is that the person was caught solely because he was pulled over for a driving infraction, for an offence of some type. When the police ran his licence number through the CPIC database, which is the federal RCMP database that's tied to everything, they caught this guy as a suspended driver, because he had been impaired and had a lifetime ban. Here's the interesting part: The same person walked into a Ministry of Transportation office, and that wasn't flagged.

That's pretty scary. It's pretty scary that you can walk into a Ministry of Transportation office, and either because of an error by them or because you fraudulently changed your first name—and that's easy to do. All you've got to do is go to the ORG, apply for a name change, have your name changed from John Doe to George Doe and you're a new person because the ministry database looks at the person's first and last names as the criteria when they do the search string.

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One of the issues I've been raising in this House is that we need to enhance the way the Ontario database works so that those fraudulent applications for drivers' licences by people who either (a) were suspended or (b) are trying to get a driver's licence illegally can be caught. This legislation might give us an opportunity to deal with some of that. For example, this whole photo comparison technology I think is something that would have caught this particular case because a picture would have been taken of this individual in Kingston, whose picture would have been on file, and if he went in and applied as John Doe versus Randy Smith, he would have been caught because the identification would have been done through the picture.

The other thing we need to look at in the MTO database—there has to be some discussion. Listen, parliamentary assistant to the minister, this is simple. All right? You guys at MTO need to pick up the phone and call the RCMP. That's the federal police. You need to talk about how you're able to put a flag between your two databases because what happens is, if there's an offence that you're charged with and you lose your driver's licence—because it's a charge—it ends up in the CPIC database.



Because it's either a provincial offence or it's a criminal offence, it ends in the CPIC database. Any time you're charged with a provincial offence or a criminal offence, it ends up in the CPIC database, and all we need is a flag between those two databases. The MTO database has to flag the RCMP CPIC database to say, "This person's in the CPIC database," and that should then provoke a manual search on the part of the agent who is issuing the licence to find out why that is.

Now, we don't want to merge those two databases together because of privacy issues. There's far more information in the RCMP CPIC database than I want the MTO getting their hands on. Quite frankly, those are issues of privacy. But certainly, you have to have a flag, and if we had a flag between the RCMP CPIC database and the MTO database, if a person goes in who has been charged criminally or under a provincial offence and applies for a driver's licence, that would be automatically flagged by the MTO office. If there was a ban on the driver's licence, we would know right away because the clerk would say, "Hold it a second. I've got to find out what's going on." They would make an inquiry in regard to why it is that person has been flagged. The question would be, "Has this person's licence been revoked, yes or no?" That's all we need to know. I don't know what the person needs to be charged with. It might be a criminal offence; that's none of my business. But the CPIC people can say, "No, the person does not have a revoked driver's licence." "Fine, we can reissue." End of story.

It would be a very simple thing to do. So I really encourage the provincial government, under the leadership of Mr. Bradley and Mr. Brown, to contact their federal counterparts to talk about how we're able to flag the CPIC database back to the provincial MTO database. That would catch it and we would know for sure at that point between what's in this bill and what could be put into this bill when it comes to security and what happens with the CPIC database. We know that we would not have a repeat of what happened in Kingston.

I end this particular issue by just saying this: The minister, the other day, in response to my question, said, "Oh, well, you know, this was like a one-off. This was a one-in-a-million kind of thing." I'm sorry. There are a lot of people out there who have drivers' licences who shouldn't have them. Let's not kid ourselves.

**Mr. John Yakabuski:** Don't mention my name.

**Mr. Gilles Bisson:** No, I will not mention the member's name.

It is not that hard to go out and get another driver's licence. We know, for example, that there are people who get drivers' licences illegally, and we've seen it through some of these issuing offices that we have out there now that have been privatized. Basically, for a fee, you can bypass the process and get yourself a driver's licence. That person may not be a safe driver. We have a system in Ontario where we want people to go through a process to make sure they're safe behind the wheel. In the case of persons being banned or having their drivers' licences revoked for whatever reason, it's not all that difficult to

get another one, as we learned through this case in Kingston. All it took was a different year of birth on the person's application, and so be it. I just say we need to make sure that we fix this, and there are two ways of doing: part of it in this legislation and the other part of it in the flag between the CPIC database and this one.

I want to talk about a few of the privacy issues. It comes back to what I was talking about earlier in regard to our friend Mr. Bush, the President of the United States for the next seven or eight months. I said earlier it's unfortunate that the United States has become much more restrictive when it comes to what its citizens can and can't do since 9/11. We understand the tragedy of 9/11, and I don't diminish that for one second. That was a tragedy. It was clearly an act of terrorism and should not be condoned. That's not my point. But as a reaction to it, we have limited people's rights within the United States, and in Canada to a certain degree.

One of the problems with this legislation is this whole radio frequency identification technology. I understand why they want to put it on the enhanced card or the combined card so that when you're driving up to the border you would be able to go through a little bit quicker. The problem is that this stuff doesn't turn off. It has a range of probably hundreds of feet, but the signal that comes off the card is always on. You cannot turn it off. What happens if a store or individuals are able to figure out how to tap into that frequency? There's a legitimate privacy concern. I'm not saying this is going to happen, but let's put forward a couple of scenarios. Wal-Mart decides that they've figured out how to track people by tapping into this frequency. That's a lot of information: "How many times do people come back into our stores? What time are they coming in?"—all of that kind of information. I'm not saying Wal-Mart would do it, but I'm using them because they're the biggest target. They're the biggest general store, so why not pick on them? I'm not going to pick on ma and pa in downtown Timmins, right? That wouldn't be fair. My point is, you could end up in a situation where somebody figures out how to tap into these frequencies and is able to track what individual citizens are doing in all kinds of ways that we don't want to have happen.

I think when we go to committee—and I don't want this bill to rush through committee. We need to have this bill in committee this summer, to give some people a chance to think about this so that we're able to look at this issue as to how we can make sure that if this RFID technology is used, which is these signals within the cards—the idea is that you would have a driver's licence that would have a chip in it and then the chip would basically alert the border patrol that you're coming and let you through a little bit quicker. But can that technology be used by others for what it was not intended to do?

We can all stand here in the House and say that will never happen, but we know there are all kinds of unscrupulous people in our society. Certainly to God, I'm not for utilizing that technology for bad reasons, and I don't think anybody in this House is. So I say we need to



make sure that we are able to look at that issue a little bit closer at committee. I look forward to having experts come before us and talk about that particular part of it.

The other thing is the information that MTO will be collecting, because they're not just going to be doing what they do now. When I go to the MTO office and apply for my driver's licence, they get my name, my middle name, my last name, my date of birth and my address. There is going to be a little bit more information than that on the cards, obviously citizenship information. We need to make sure that the databases are secure. Again, I don't know if they will or will not be. I'm not saying they're not, but I think we need to ask the question. It's a very legitimate question to ask the ministry as it comes before a committee: "What steps have you taken to make sure that the additional information we're now going to be getting is made secure?" We remember what happened in the FRO under the Conservatives. Do you remember that one, where they closed the Family Responsibility Office in Sudbury and everybody else's regional offices, and they took all that information and put it in boxes inside a building in Downsview? There was a lot of information that was unsecured. This stuff was out there for people to see: court records as far as how much a person had to pay, what the conditions of visitation were. All that information was there. Anybody could have grabbed that.

I want to make sure when we're in committee that we ask the ministry, "What steps are you taking to make sure that the information you currently have and the information you will be getting is made secure so that within the ministry there are proper safeguards for this information not to be leaked or not to be viewed by other people who shouldn't be seeing it?" Clearly, we need to do that.

On the last part of the security—I just stopped there because I remembered—it would be good to get the privacy commissioner to come before our committee. We should be asking the privacy commissioner, quite frankly, to look at this legislation—we should be making that request through the committee—and for her to come back and to tell us what she thinks. That's what the privacy commissioner does, and she has the staff to be able to do that.

1030

If we're going to be providing this type of card and technology to the province, I think we as legislators need to do everything we can to make sure that we protect the privacy of individuals. I see the parliamentary assistant is agreeing with me.

**Mr. Michael A. Brown:** I am.

**Mr. Gilles Bisson:** Yes, I see you're agreeing, and other members. I look forward to that happening, and we need to make sure that we hear from the privacy commissioner in order to make that happen.

I just want to end on this particular point, and that's the role of committee. Sometimes—and we don't do this for the wrong reasons—we think we understand our legislation far more than we do, if you know what I mean, as parliamentary assistant, critic or minister. I read

the legislation, as the member did, and I think I somewhat understood it. But who knows, right? There may be something I misread. Often what happens is that we hurry the stuff through the committee process.

For example, we got Bill 41, the speed limiters legislation, going to committee tomorrow. You will know, as parliamentary assistant—you're getting the same e-mails as me: "How come I didn't get a chance to present? The cut-off date was Tuesday for presentations" etc. So often what ends up happening is that by the time the public hears a bill is coming, and they decide to apply to committee to come and have their say, they end up being barred out because the process has been truncated and sped up.

All I'm saying to the minister and the parliamentary assistant in this case is that this is legislation that I don't think we should be hurrying up too much. I don't have a problem with passing it. It'll be fine to get second reading this spring and get it into committee for the summer. We may or may not need a lot of committee time, but what we do need is an adequate amount of time to let Ontarians know that this legislation is coming, to reach out to people who know more about security and privacy issues than we do, so that they're able to come before our committee and give us their best advice about how we make this bill work in the way we intend it to.

I tell you now, as a member of the New Democratic Party and the critic for transportation, we're not going to hold this up at third reading; we don't have any intention of doing that. And we have no intention of holding this up in committee. But we need sufficient time to give people notice. We may only need one or two days of committee time. I don't know; it'll depend on the requests. But I don't want to be in a position, as we were with the Bill 41, the speed limiters bill, where people feel that they didn't get enough time to make application to present to committee. So on this legislation, I think we need to be able to do that.

**Mr. Michael A. Brown:** That's some nerve on your part.

**Mr. Gilles Bisson:** The reality is, I wasn't available Friday for the subcommittee meeting. I understand that.

**Mr. Michael A. Brown:** What about the other times?

**Mr. Gilles Bisson:** The first request I had was last Friday, just so you know. That was the first request.

So the point—the regional deal on Bill 41, as I understood it as the whip—was that Bill 41 was actually going to travel in the summer. That was the original deal as I understood it, so this was not even on our radar screen. So a lot of people are feeling a little bit left out.

I'm just saying, let's not repeat that with this bill. I want to put it clearly on the record, as the critic for the New Democratic Party, that this bill should have adequate time for the public to be notified. People should get adequate time for notification for when this bill will be in committee. A day or a week is not going to be enough. We need to make sure that this thing is posted. We need to reach out to the privacy commissioner and others to let them know that we need them to come out



and to give us some learned advice about what this bill can and can't do and what we should change, and then bring the bill back for third reading this spring.

With that, I want to thank you. That's all the time I need in this debate. I look forward to the questions and comments.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Lou Rinaldi:** I'll just take a minute or so to make some comments on the statement by my neighbour here from James Bay.

I want to say up front that I think he's very sincere in his debate. I think the questions that he raises are, in part, legitimate. I'm delighted to see that, in general, we are in agreement that this has to be done. It's things like this that arise from time to time through a change in world conditions, I guess, if one must say.

I think both the minister and the parliamentary assistant have acknowledged that it's going to go to committee and there'll be that opportunity for the public to give that input. Not just on this particular issue, but on many other issues it's very important that information comes from the ground up, because those are the folks who are going to be lining up, whether it's at the liquor store or a border crossing, or even when they go to register for college or university and they don't have a driver's licence—some of the challenges that I know my office hears about sometimes regarding not having proper identification. Right now, even for those minor incidents where identification is needed when people go to those offices, they don't know if they have the right type of identification that could put them through, and normally that leaves a lot of frustration.

So I'm delighted we're moving forward on this. Is it going to fix all the problems? Probably not, but I think we're all heading in the right direction. I'm delighted to support the comments that were made and also to try to move this ahead as quickly as we can.

**Mrs. Julia Munro:** In the brief moment that I have, I just want to suggest that, to me, the issue is the balance of the issues around privacy and the challenges of security. I think that it's incumbent upon the government to use the best and the newest technology at their disposal to be able to provide a secure system, and that's why there's a general recognition of the need for the government to go forward in this. But I also would agree with the previous speaker about the importance of making sure we have it right, that we are not creating a system that puts people's privacy at risk. It is through the process of public comment and public hearings that we are able to understand some of the challenges that a bill such as this provides.

I think the most important thing to keep in mind is that at the end of the day this has to meet the test of confidence at the border. It has to be something that in fact does what it says it will do in a way that is cost-effective.

We recognize the importance of that balance of privacy, the security of our records and also the broader issue of security for our borders. I think that making sure

those things are guaranteed by this legislation is really the essence of the debate here.

**M. Jean-Marc Lalonde:** Ça me fait plaisir de participer à ce projet de loi tellement attendu par les Ontariens et Ontariennes. Ce projet de loi permettra l'obtention de deux différentes cartes, tout d'abord le permis de conduire avec une photo ainsi que les renseignements nécessaires. Le gouvernement McGuinty propose la mise en circulation d'un permis de conduire spécial plastifié, sur lequel figureront des renseignements sur la citoyenneté. Ce permis de conduire spécial deviendra un document de voyage acceptable, un substitut de passeport, pour se rendre aux États-Unis par voie terrestre ou maritime. Oui, nous savons que, actuellement, selon l'information reçue, à compter du 1<sup>er</sup> juin 2009, toutes personnes n'ayant pas un passeport ou une carte telle que proposée par le gouvernement McGuinty ne pourront pas se rendre aux États-Unis par voie terrestre ou maritime. Actuellement, nous savons que par la voie des airs, il est obligatoire d'avoir un passeport. Cette carte sera vendue au coût de 40 \$. Si une personne doit obtenir un passeport, le coût actuel régulier est de 85 \$, et je crois qu'il y a une augmentation.

Mais l'important de ce projet de loi est l'obtention d'une carte d'identité pour une personne n'ayant pas de permis de conduire. Nous savons depuis longtemps que l'ombudsman de l'Ontario a fait des recommandations au ministère des Transports demandant à ce que le gouvernement McGuinty se penche sur cette demande faite par les aveugles, par exemple, et aussi par les étudiants et étudiantes de l'Ontario n'ayant pas de permis de conduire. Mais cette carte sera à la disposition de tous les Ontariens et Ontariennes qui n'ont pas de permis de conduire, et ils pourront l'obtenir afin de se rendre plus facilement aux États-Unis.

1040

**Mr. John O'Toole:** I am very pleased to respond to the member from Timmins-James Bay. As has been indicated, I believe this side of the House, the opposition party, is in support of Bill 85.

That being said, you look at the bill here. A couple of points have been made. I just recently had to renew my driver's licence, and today's driver's licence was \$74 for one year, \$148 for two years. So I know that.

I'm wondering now, with this new ID attached to a driver's licence, how much it's going to be. I'm a little bit worried, without too much accountability and openness here. The Minister of Transportation and the Minister of Finance just love to get your hand in your pocket. Before we concede complete agreement on this—because it is the right thing to do—how much is it going to cost? Every time they do something over there, it costs more.

The economy right now is troubling. In fact, this doesn't solve, as the minister said, some of the problems of the transborder issues. Americans coming in here won't have one of these cards and they'll have to have a passport to get back, under the rules. So American tourism will not, as has been suggested, actually be im-



proved. Tourism is extremely important as we enter this season.

Mr. Tory and our party came up with a plan, which was to remove the retail sales tax on Ontario hotels and attractions for the summer months. We have a plan here that would have stimulated tourism this summer. Perhaps it's separate from this Bill 85, which is a bill that really allows the Minister of Transportation and the McGuinty government to issue one of three types of identifications. We have no idea what it's going to cost to set it up, how much it's going to cost for the consumer to purchase. And is it really going to provide any real support for tourism?

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Timmins–James Bay, you have two minutes to respond.

**Mr. Gilles Bisson:** I appreciate the comments made by the various members who actually supported most of what I had to say. I will only repeat that I think the important part of this thing is that we need to make sure that privacy issues are dealt with so that the information that MTO has on these new driver's licences or photo IDs is not misused. I think we need to make sure that we have the privacy commissioner come before our committee in order to deal with this, so that we can have the expert advice of her office about how we make sure that we safeguard the information and how we utilize these new cards in the future.

I guess the last point is that we need to really make sure that we have time in committee to deal with this. Again, I want to be real clear to the minister and the parliamentary assistant. I'm not asking for extensive public hearings on this. What I'm saying is that we need to post it out there so that people can see it, so they have sufficient time to be able to figure out that this is coming, that we be somewhat proactive in our approach—that we reach out to some people as a committee who we think might be interested in this issue, and then basically allow them to decide if they want, or not, to present to committee.

We may in the end only need a day. We may only need two or three. I don't know. I just want to make sure that we get this right, as we move forward. As I said earlier, it's unfortunate that we need this type of identification in Ontario. The Americans have basically forced this on us, so we have no choice but to deal with it. Nonetheless, if we're going to do it, let's make sure, as humanly as we possibly can, that we get the legislation right and that we make sure that citizens' right to privacy is protected so that it's not misused in any way.

With that, I want to thank you for this time in debate and I look forward to the time we'll have on committee for this particular legislation.

**The Speaker (Hon. Steve Peters):** Thank you. The time for debate is adjourned.

*Second reading debate deemed adjourned.*

## INTRODUCTION OF VISITORS

**The Speaker (Hon. Steve Peters):** I'd like to take this opportunity to welcome some guests here to the chamber today.

On behalf of the member from Lambton–Kent–Middlesex and on behalf of page Chris Jefferies: I'd like to welcome Andrew Jefferies, his father, Rosanna Jefferies, his mother, Daniel Jefferies, Alexandra Jefferies, Donnajean Jefferies, Jim Jefferies, Tony Basacco and Lena Basacco.

On behalf of page Ellen Tomaino: Sitting in the gallery today are her mother Julie, her father Mike, her sister Heike, brother Jay, brother Willi, grandmother Faith Tomaino, grandfather Peter Tomaino, her aunt Christine Walker, cousins Sarah Walker and Matt Walker and cousin David Petriw.

As well, on behalf of page Murray Fallis: His mother Wendy McQuaig and his grandmother Lois Fallis are in the west members' gallery.

On behalf of the member for Mississauga–Erindale, I'd like to welcome to the House today the grade 5 class from Edenrose Public School in Mississauga. They are visiting the Legislature today.

As well, a belated anniversary yesterday to the class of 1999, of which I am a member, elected nine years ago. To all those members who arrived nine years ago yesterday, congratulations.

## MEMBER'S BIRTHDAY

**The Speaker (Hon. Steve Peters):** On behalf of all members of the House, I'd like to take this opportunity to congratulate the member for Burlington, Joyce Savoline, on her birthday today. Happy Birthday.

## ORAL QUESTIONS

### ONTARIO ECONOMY

**Mr. Robert W. Runciman:** My question is to the Premier. It has to do with what is clearly an economic crisis bearing down on our province. The first quarter of this year saw Canada's economy shrink, primarily because of the difficulties this province is facing. The massive job losses we've seen in the auto industry just in the last few weeks tell us that the situation is escalating. As a first step towards what we believe should be happening in terms of the tabling of a mini-budget before we rise for the summer, are you prepared to direct your House leader to work with opposition House leaders to schedule an emergency debate on the state of the economy at the earliest opportunity?

**Hon. Dalton McGuinty:** It would seem to me that every question period, every opportunity we have with the media and during the course of various debates in this Legislature, we have an opportunity and indeed a respon-



ibility to talk about the economy. I'm pleased to engage in this right now.

One of the things I want Ontarians to understand is that there is a profound difference in terms of our approach when it comes to growing this economy and their approach. They believe that for every complex problem there's a neat and tidy solution. That is not the case when it comes to the economy. You cannot simply cut taxes and expect that that's going to generate economic growth. They didn't close that GM car plant in Mexico yesterday because of high corporate taxes. They didn't close it because they thought that the labour costs were too high. The world is a little more complex, and it's high time that my Conservative friends come to grips with it. You need to do more than just cut corporate taxes.

**Mr. Robert W. Runciman:** It's regrettable that the Premier continues to use this kind of platform for political rhetoric and to attack the opposition parties rather than try to find some way of approaching this in a united and constructive way. He stands up here day after day and attacks the opposition for raising very legitimate concerns. His rhetoric is small comfort to the families in Windsor and Oshawa and elsewhere throughout this province who are losing their jobs under his watch and under his policies. What we're suggesting here today is an opportunity to discuss this, give everyone in this place an opportunity to have input, move forward, bring in new policies, new approaches. We want to work with you in a constructive way to address the real challenges of this province. Why won't you do that?

**Hon. Dalton McGuinty:** If that were so, then you would think that at the House leaders' meeting, which just concluded a few moments ago, the representative for the Conservative Party might have raised this very issue. That was not the case. Instead, they chose to do that within the context of a highly charged question period. I understand that's their right to do so, but I think it undermines their credibility in this particular regard.

1050

Here's the real issue, and we need to expose this to the light of day: They want to cut taxes in the province of Ontario by \$5 billion. That is not going to help businesses that are struggling today. They are not paying corporate taxes today because they are struggling—certain parts of the sector. Furthermore, they're not prepared to acknowledge that cutting \$5 billion out of our revenues means cuts to our schools, cuts to our hospitals, cuts to the programs that protect the most vulnerable, and cuts to protections for our environment. They're not prepared to acknowledge that. I am, and I won't go there.

**Mr. Robert W. Runciman:** This is another repeat performance, and a disappointing one, to say the least, especially for people who are losing jobs across this province and the communities and families who are being impacted by those job losses and plant closures.

The Premier tries to suggest that we're only approaching this from one perspective. My colleague from Oshawa, Mr. Ouellette, stood in this House yesterday and offered a number of positive alternatives to look at in

terms of addressing the ongoing and long-term challenges in the auto sector in Ontario. Once again, you showed utter disdain for proposals and real opportunities to move forward here in a co-operative way.

We're asking you once again to involve this assembly. Show that it means something to you, that the people in this place have a role to play. Let us have input, and based on that input, bring in a mini-budget and we'll address these problems going into the future in Ontario.

**Hon. Dalton McGuinty:** Here's another fundamental difference between our government and the opposition: We believe that one of the most important things we can do in this period of our economic history—while we can't guarantee jobs for all Ontarians that will be there in perpetuity, what we can do is work as hard as we can to guarantee the employability of our people. That's why we've lent such a strong focus to education. That's why, in our recent budget, we committed \$1.5 billion to further enhancing training opportunities. That's why tomorrow, in fact, I'll be announcing some of the specific details about our second-career strategy.

We believe it's really important to help people who have lost their jobs to get long-term training opportunities, something that has not been available not just here in Ontario, but anywhere else in the country. They voted against that provision. Again, they would rather cut taxes and allow people to flounder on their own. We think we've got a responsibility to help and we will continue to do just that.

## AUTOMOTIVE INDUSTRY

**Mr. Jerry J. Ouellette:** As you can well imagine, families in Oshawa are devastated about how the closures are going to impact them. Workers are rightly out there demonstrating their displeasure with the agreements to try to make changes there. And it's not going to end there. I would let the members know that the internal documents I am in possession of talk about the St. Catharines powertrain plant and what's going to happen there.

Yesterday, Premier, the questioning was to try and find out the details of the funding agreements on the transfer of funds. It was supposedly based on employment. Is that employment based on internal employment or external employment? And how is it going to be in the plant or outside the plant? First, we heard it was a grant; then it was a loan; then it was a 50-year loan; then a 30-year loan; and then \$100 million and \$175 million. Premier, can you let us in on what the actual funding agreement is?

**Hon. Dalton McGuinty:** I will allow the Minister of Economic Development and Trade to speak to some of the details to this.

Let me just say this at the outset, and I know the member opposite understands this: We have been working hard with a variety of auto manufacturers. They have demanded of us—and we think this is perfectly reasonable from their perspective—that we treat the individual



agreements with some commercial sensitivity. The folks at Toyota don't want their arrangement known to the folks at Ford, the folks at Ford don't want their arrangement known to the folks at GM, and then Honda as well. So we intend to respect that.

I can say, though—and this is the fundamental difference; I want to draw the line once again—that we believe it's important on the part of our government to sit down with CAW workers, auto workers and auto manufacturers in the province of Ontario, and to enter into a competition with the US to ensure that we land new investment. What we need to know on the part of the Conservatives is whether they continue to support our being in competition with the US, our working with the CAW and our working with our manufacturers to ensure that we land more new investment to create more new jobs for Ontario workers.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mrs. Christine Elliott:** The General Motors truck plant closing is going to have a devastating effect on Oshawa, and in fact on all of the communities in Durham region. In addition to the workers who are going to be laid off, there's going to be a huge spin-off effect, which is going to relate to other businesses relating to the auto industry, as well as the hospitality industry. These are real people with families to feed and mortgages to pay.

But there is something that the Premier can do. There are going to be up to \$35 million in penalties that are to be paid by General Motors pursuant to your agreement with them. Will you commit today to directly reinvesting those funds back into our communities?

**Hon. Dalton McGuinty:** To the Minister of Economic Development and Trade.

**Hon. Sandra Pupatello:** I think it's important to note that the Premier reported yesterday that coming very soon is taking that step with our new skills development program. When that party that is asking a question today was asked to vote whether they were interested in assisting people who need to be retrained for new jobs, that party in opposition was opposed to that and voted against it.

What is really important today is that the community of Oshawa—they are hurting today. We are worried about those families and we want those families working. This government will continue to do everything it can to help GM succeed. We know that these are challenging times for GM today. We know that we want more investment in the future. For these members today, I ask them, will they stand up for GM? Because we will have opportunities again with this company. We want to be there for GM and we're going to count on—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. The member for Durham.

**Mr. John O'Toole:** My question is also to the Premier. Everyone in the region of Durham, in fact, those associated with the auto sector, know there's a serious challenge. There's a real challenge for you, Premier, a real opportunity for you, to show compassion and leadership. In fact, our opposition leader, Mr. Runciman, has

said today that we should have a discussion on this. It's such an important question. Let's not just politicize it. What I'm asking you to do today is, do you have a plan to bring together the CAW, Chris Buckley, as well as the president of General Motors in Canada, and provide a forum and some leadership to find a solution, not just for General Motors but for the families, the employees, and for the province of Ontario? Do you have a plan to bring them together to find a solution, or is this just going to be more political finger-pointing?

**Hon. Sandra Pupatello:** I think we do have to be clear that today we are thinking about the families in Oshawa that are affected by the General Motors announcement. Our first concern is for the workers on the line at the truck plant in Oshawa. When we call Buzz Hargrove and say, "What can we do?" Buzz Hargrove tells us that we have to help land new investments.

So when these members opposite stand to ask the question of us, I ask the question of them, will you be there to support General Motors when they need help the most? When we want to support those families through our new retraining programs for workers who are being laid off, will you support those initiatives? Those will be key.

Let me say too that there are challenges and there are successes: yesterday's Ford announcement and yesterday's Honda announcement. We—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. New question.

## AUTOMOTIVE INDUSTRY

**Mr. Howard Hampton:** To the Premier: Yesterday's announcement that General Motors is permanently closing its truck plant in Oshawa is simply tragic. It's tragic because the workers there have won literally dozens of awards for productivity and for excellence. It's tragic because 2,600 of those workers are now being shown the street. It's tragic because the McGuinty government, with much boasting and chest-thumping, gave General Motors \$235 million without getting any job guarantees for the workers.

My question is this: Why did the McGuinty government let down thousands of Oshawa workers when you gave General Motors \$235 million and obviously didn't get any job guarantees?

**Hon. Dalton McGuinty:** I always appreciate the question. I think it's worth listening to what Buzz Hargrove had to say about this issue. He said:

"In contrast to the federal government's inaction, the Ontario government has been doing its best to support auto investment and employment.... Without provincial support (including its participation in GM's Beacon project), the situation facing the industry today would be far, far worse."

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I can't tell from one day to the next where the NDP stands on this issue. They say they are in favour of supports for the auto sector, but when there is some kind



of setback, when they closed a plant in Mexico, two in the US and one in Ontario, they say we should never have offered assistance in the first place.

We are not backing away from making difficult decisions to find new opportunities to support the auto workers in the province of Ontario.

**Mr. Howard Hampton:** The Premier is mistaken: It's the Premier who thinks you can give \$235 million to General Motors and you don't have to worry about job guarantees for workers. I say if you're going to give \$235 million to General Motors, you'd better get some job guarantees or it's a bad deal.

But it's not just that. The McGuinty government changes its story just about every day. When this deal was first announced, General Motors workers and other auto workers were told that it was going to guarantee their jobs across Ontario—thousands of jobs. What do we find now? No job guarantees. When it was first announced, we were told, "This is an investment. This is a grant." Now that it doesn't look so good, suddenly the Premier says, "Oh, it's only a loan."

Premier, here's the end question: Do you think it's a good deal that General Motors—

**The Speaker (Hon. Steve Peters):** Thank you. Premier?

**Hon. Dalton McGuinty:** GM itself has admitted that it may very well just have put itself in breach of the agreement which we entered into. They have specifically acknowledged that.

I understand from my good friend opposite that he believes that the only thing we need to do is cut corporate taxes. He needs to get in touch with the Mexican workers at the plant in Mexico and speak to them about that, because they think they've got the lowest corporate taxes on this side of the world. He also thinks that the issue here is labour costs, that the people at CAW are getting paid too much. Again, he needs to get in touch with the Mexican workers to find out about their position on that particular score.

The fact of the matter is, we have entered into a number of agreements. There were some job guarantees associated with that. There are going to be some financial consequences that will flow from that. We will not become reluctant to continue to compete on behalf of the auto worker in the province of Ontario.

**Mr. Howard Hampton:** The Premier seems to spend a lot of time talking about what may or may not happen in Mexico. I think the Premier should get in touch with what's happening to workers here in Ontario who are losing their jobs by the thousands under the McGuinty government.

But I want to get an answer to the question. In my view, a deal that gives General Motors \$235 million of the people's money and then allows General Motors to lay off thousands of workers is a bad deal. My simple question: Does the Premier still think it was a good deal for workers at General Motors and Ontario?

**Hon. Dalton McGuinty:** If I've got to make a choice, I'm with the Canadian Auto Workers, I'm with Buzz

Hargrove and I'm with the families who are supported by those jobs.

My friend the leader of the NDP might not like to acknowledge this, but the competition out there is pretty tough. There was a US southern state that came to the table in connection with a potential Kia investment and put down \$1 billion. At the end of the day, we cannot win if it comes down to money alone. Fortunately, we have quality and productivity on our side; we have public health care on our side; we have good infrastructure on our side; we have cultural, relentless innovation on our side; and we have, perhaps best of all, a government on the side of Canadian auto workers, their families and this industry in our province.

#### AUTOMOTIVE INDUSTRY

**Mr. Howard Hampton:** To the Premier: The Premier wants to pretend that he's on the side of workers, but General Motors not only has taken advantage of the McGuinty government and \$235 million of public money, but they signed a collective agreement a couple of weeks ago saying they weren't going to do this. So if the Premier is on the side of the workers, what is the Premier going to do to force General Motors to live by the terms of the collective agreement they signed?

**Hon. Dalton McGuinty:** The leader of the NDP well understands that there is a very important relationship to be found between the two parties to this agreement. I know they are going to pursue some difficult conversations at this point in time. But rather than insinuate myself into that process, what I want both sides to know, what I've told Buzz Hargrove, what I've told CAW workers individually, what I've told the president of GM North America, what I've told the presidents of Ford and Daimler, with my visit to Fiat, with Honda and Toyota—I've told them all we are prepared to sit down and work as hard as we can to land new investment in the province of Ontario. Rather than insinuate myself into a difficult situation between the CAW and GM at this time, what Ontario taxpayers need to know is that we're going to find a way to bring both sides together to ensure there is a bright and promising future for the auto sector and auto sector jobs in the province of Ontario.

**Mr. Howard Hampton:** Premier, the workers in Oshawa have heard all those words before and they know all too well how empty those words are. They know what they heard only three years ago, that giving General Motors \$235 million was going to guarantee their jobs and thousands of other GM jobs. It turns out that promise was completely false.

Premier, it comes down to this: General Motors has got \$235 million of the public's money; workers are out the door. General Motors made a commitment to the auto workers that they were going to sustain jobs. They made that commitment just two weeks ago. The auto workers want to know what you are going to do about both of those things, or don't you care, really, about their jobs, when it comes right down to it?



**Hon. Dalton McGuinty:** It's becoming more and more obvious to me that the leader of the NDP has not had real contact with any CAW workers of late, because when I've had that contact with them, one of the things they seek continual reassurance on is that we will continue to fight for the auto sector in Ontario, that we will continue to do everything we can to land new investment. Of course, we regret the fact that so many workers have lost jobs, but the fact of the matter is that we continue to do better than any other jurisdiction in North America.

Something that was overlooked yesterday was the announcement of a new product coming out of the Ford plant. Something that was overlooked yesterday was a new announcement for a Honda parts plant. Around the corner, we've got a new Toyota assembly plant that will begin work on a full-time basis. There is some room for some real optimism. I think the last thing we need to do right now is to somehow pull back and decide that we can't participate in these kinds of ventures, because what auto workers are looking for us to do is to show—

**The Speaker (Hon. Steve Peters):** Thank you, Premier. Final supplementary.

**Mr. Howard Hampton:** Premier, what workers across this province want is a government that's actually prepared to stand up to GM, rather than simply doling out the money and watching them lay off workers.

I was in Oshawa just a week and a half ago. I was at a workers' action centre talking with workers who have already lost their jobs, who are looking at the prospect of losing their homes, who don't have another job to go to. They know that the 2,600 jobs that are going to go at the truck plant will mean another 10,000 jobs in terms of parts. They hear all your promises. They see all your photo ops. They see all your empty announcements. What they want to know is, when is the Premier of Ontario going to stand up to General Motors and start standing up for workers who are losing their jobs?

**Hon. Dalton McGuinty:** The fact of the matter is, we are clawing back money from GM. There's no dispute in that regard, none whatsoever.

What I should tell my colleague, as a matter of interest, is that at the Ford announcement yesterday they launched a new product in Ontario and took on 500 new workers in that regard. There was a reporter—

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**Mr. Howard Hampton:** This would be the muscle car.

**Hon. Dalton McGuinty:** Now my colleague says that he's against the new product. That's why I said at the outset, it's hard to figure out from one day to the next, from one question to the next—is he suggesting that we should pull that product off the assembly line and put those workers out of work?

I want auto workers to know, there's only one party in this Legislature which is firmly in their corner. We'll do everything we need to do to make sure that we land new investment with this party and this government.

## ENDANGERED SPECIES

**Mr. Norm Miller:** My question is for the Premier. Premier, a few weeks ago, I asked if your government would honour your agreement with forestry partners to provide for a long-term regulation under the Endangered Species Act which would recognize forest management plans. You indicated that your government was turning its back on forestry partners and your previous commitment and would not honour its word. Since then, the Ontario Forestry Industry Association has been working on a new stewardship agreement, and they have had a legal opinion that indicates the act would allow such an agreement.

My question is this: Will you agree to negotiate a stewardship agreement in the interests of ensuring that northern communities don't become an endangered species?

**Hon. Dalton McGuinty:** To the Minister of Natural Resources.

**Hon. Donna H. Cansfield:** I'm pleased to be able to respond. First and foremost, we must take credit for having the Endangered Species Act, which is in fact the most significant act in North America for the protection of species at risk.

The Premier was very clear in his letter to the forest industry that we would in fact integrate the Endangered Species Act into the forest management plans. I have said that repeatedly. So what we're able to do—we have 46 of those plans, soon to be 47—is sit down with the industry over the next year and do exactly that. We've been working with the industry. It's not difficult. They have a good track record. They already deal with 21 of those endangered species, and we look to build on what has already been an excellent track record. So we find that this is consistent with the approach we've been taking, and I'm looking forward to working with the forest industry.

**Mr. Norm Miller:** I guess that's why the Ontario Forestry Coalition has made the trek down here from northern Ontario to have a press conference today. They are so happy with the way things are going.

More than 230,000 jobs are at stake here. We just can't afford to lose these jobs. This province has attained a world-renowned platinum standard for excellence in forestry, and we've seen the results. Case studies prove that our current forestry practices co-exist with efforts to support endangered species. We've seen increases in caribou, red-shouldered hawks and bald eagles, yet you continue to work against the industry instead of with it.

Northern communities, First Nations, and working people need your commitment, your word that you will try to reach a compromise instead of handing out ultimatums. Will you promise to continue discussions and work for an agreement?

**Hon. Donna H. Cansfield:** Of course we'll continue discussions. I've already had them at the table a couple of times. I've encouraged them to come back to work with



us to develop the policy and the regulations as we work through how to deal with this.

We have wonderful companies such as Tembec that are more than pleased with the opportunity to have a year with which to continue to work—

**Mr. Gilles Bisson:** They're pleased?

**Hon. Donna H. Cansfield:** They are pleased, and are prepared to publicly say they are pleased—this is the owner and president of Tembec. They are prepared and willing to work with us and come to the table over the next year.

I don't see why this is difficult. What we're saying is, we want to protect species at risk. We have companies that are prepared to do that. We have standards that we know they can meet, and we've got a year within which to do it.

I think, in fact, the fearmongering that's going on is not justified. The best way to solve a problem is to sit down, talk it out and deal with it.

### AUTOMOTIVE INDUSTRY

**Mr. Paul Miller:** My question is to the Minister of Economic Development and Trade. This government's auto job strategy is in shambles. The sector is being driven into the ground by poor government decisions, and the minister knows it. It's not just the Big Three that are hurting. In the minister's hometown, we're seeing the trickle-down effect: 30 jobs at Falcon Tool and Die—gone; and another 30 jobs at Peterson Spring of Canada. How many more auto and auto-related jobs have to leave this province before this minister and her government admit that they have failed and their auto job strategy is wrong?

**Hon. Sandra Pupatello:** I think it's important to note that our auto investment strategy has led companies to make investments for where cars and trucks, vehicles, are going to be in the next 20 years, allowing our companies to shift on a dime, changing with consumer changes. That really is the impetus of our funding to these companies.

We should use Ford Oakville as a very good example. Yesterday, they launched their new Flex. That is a new model that they could put in on a flex line made possible by the Ontario government and by support from the federal government. That is why we saw an ad for the hiring of 500 jobs at the Oakville plant. I'd like this member to stand up and say that that is a failure.

**Mr. Paul Miller:** This member would be glad to stand up. The minister talks and talks and talks, but there's no substance. I wonder if these are the same lines she's feeding the hard-working folks in Windsor. They deserve much better.

New Democrats have put forward numerous constructive proposals to stem the loss of jobs and to provide workers and their families a safety net when layoffs are unavoidable. This government, that minister, has rejected every one of them. Why is she turning her back on Ontarians and her own constituents?

**Hon. Sandra Pupatello:** I think it's fair to say that every single member in this House should be concerned about any job loss that occurs in our sector, in particular a challenging sector like the automotive sector. Every one of us should worry about the workers in Windsor, the workers in Hamilton and any community that is suffering job loss.

But that's why this government brings forward the kinds of policies that we do, like the area of skills training, like the second-career program that we're going to hear more about in detail this very week. We expect every member of the House to support initiatives that can move workers who are losing jobs on one plant floor into a whole new career where there are jobs available. We want members of the House to support those workers.

We want to see support from the Conservatives and the NDP. Alas, every time they've had an opportunity to support these budgets that have these initiatives, they voted against those proposals. That's what the people of Windsor—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### FOREST FIREFIGHTING

**Mr. Michael A. Brown:** I have a question for the Minister of Natural Resources. This spring, we have seen how natural occurrences, such as flooding, can have the effect of devastating property and displacing people from their homes. Similarly, the fire season in Ontario also has the potential of causing great damage.

With a rapid transition from winter to summer-like conditions, it is important to be prepared. Would the minister tell us what plans and resources her ministry has put in place to deal with the potential wildfires this spring and summer?

**Hon. Donna H. Cansfield:** I'd like to assure the member and the members of this House that we're well prepared for the fire season. As a matter of fact, this year we have just under 100 fires; it was about 350 this time last year. We have, without a doubt, within the MNR, one of the most world-renowned groups of people, who are constantly asked, as a matter of fact, to go out and share their expertise.

A good example of that was what happened during the flooding this year. The greatest strength that MNR has rests within the people it has. This year, we evacuated over 2,500 folks from Port Albany, Attawapiskat and Kashechewan. Now those folks are back home; the evacuees are back home. It gives me an opportunity to say thank you to Stratford, for example, a host community, but also to say thank you to the MNR folks for all of the work that they provided in ensuring that these people were safe during the flood season.

**Mr. Michael A. Brown:** It is important to be prepared to deal with potential wildfires, but we should do our best to prevent them from starting in the first place. Fluctuating weather patterns and lightning account for approximately 50% of wildfires. However, obviously, human



activity is responsible for the other 50%. In other words, people are responsible for the fires.

This is an important issue for all Ontarians who live, work and play in rural areas. We should all be mindful of the potential hazards that could cause fires, particularly at this time of year. Can the minister elaborate on the types of things that people can do to prevent fires and protect their cottages and homes?

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**Hon. Donna H. Cansfield:** The member is correct: Prevention is the first and foremost way to go. But I need to assure everyone that we have 700 professionally trained firefighters at MNR and over 160 private crews that we can bring on when we need them. We need to know that they have put together strategies that enable people to work within their needs for wildfires.

For example, we have two that we've put out: the FireSmart home assessment test and the FireSmart owners manual. We've also extended our physical bases. We've put in over 700 new satellite phones to ensure that our crews are very safe, and we've also extended our contracts so that the crews are coming in earlier and they're staying later to deal with forest fires. But the most important thing we can do is just think, because prevention is first and foremost when it comes to forest fires in this province.

### ROAD SAFETY

**Mr. Frank Klees:** To the Minister of Transportation: Nauman Nusrat pleaded guilty to criminal negligence causing death by street racing. The death he caused was that of a 48-year-old husband and father, David Virgoe. His wife, Debbie, and two of his three children, son Brad and daughter Bobbi, were in court yesterday to hear that the man responsible for the death of their father and husband would serve two years less a day under house arrest and a lifetime driving ban. He can attend classes from 7 a.m. to 4 p.m. during the week, he gets to go shopping for four hours on Saturday and do whatever he needs to do to practise his religion on Sunday.

After all the effort by this Legislature to put in place laws that are intended to carry serious consequences for the mindless and criminal act of street racing, does the minister agree that this sentence undermines his efforts and those of this Legislature to send a strong message that street racing will not be condoned in this province?

**Hon. James J. Bradley:** What I can say to the member is that, most certainly, all members of this House approved in this Legislature measures which are among the strongest you'll find in North America against street racing. I can say that it was our hope—I know it was your hope, it was the hope of members in the New Democratic Party and the hope of the government—that this would have a major deterrent effect on those who decided they were going to violate the laws of Ontario through street racing; that is, going 50 kilometres an hour or more over the limit and engaging in acts which endanger the public. That was the purpose of this legisla-

tion, and I think all of us were hopeful that that legislation would have an impact on all who saw that legislation and how it could be applied.

**Mr. Frank Klees:** We either believe that there should be serious consequences for those who take the lives of innocent people on our streets or we don't. We can continue to churn out legislation here, we can continue to make pronouncements regarding that legislation and we can continue to do our part as legislators to send that message, but if they're not supported by our justice system and if the consequences of that legislation are not supported by our judges and by the system, then we're wasting our time here.

I would ask this: Will the minister introduce legislation—if the courts are not prepared to do it—to supplement the legislation that we have passed here with minimum sentencing so that those consequences will in fact be realized by the people who are breaking the law and taking the lives of innocent people on our roads and highways?

**Hon. James J. Bradley:** I will allow the Attorney General to answer the second portion of the question.

**Hon. Christopher Bentley:** As the member opposite should know, the charge was prosecuted under the Criminal Code, which is federal legislation. Crown attorneys throughout the province take such acts very seriously and prosecute them to the full extent of the law, reflecting the will of this Legislature and the Parliament of Canada. The crown in this particular case asked for a sentence more stringent and different than the trial judge imposed.

The trial judge is an independent officer who makes an independent decision. This case is now within the appeal period. We're awaiting the report of the trial crown, and we will take a look at whether that trial report and the law support an appeal, but we will take these very seriously, as we did here and we do in all cases. We will continue to—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. The member from Parkdale–High Park.

### AFFORDABLE HOUSING

**Ms. Cheri DiNovo:** My question is for the Minister of Housing. Mr. Speaker, your report from Statistics Canada indicates that there is a housing affordability crisis in Toronto. Toronto residents now spend more of their income on housing than any other place in Canada. There are 70,000 households in Toronto waiting for affordable housing, yet today we read that over 1,400 affordable housing units sit empty in Toronto because of lack of funding support from the Ontario government for repairs. Minister, what action will your government take to address this unacceptable waste of housing resources?

**Hon. Jim Watson:** I too read the article, and I am obviously concerned when I see several housing units and apartments—upwards of perhaps 1,400—that are not inhabitable. It was one of the reasons the Premier announced a \$100-million renovation and rehabilitation



fund, for the simple reason that we recognize that the aging housing stock has caused difficulties with Toronto housing, with Ottawa housing, with housing providers across the province.

Toronto's share of that money is \$36.5 million, and we're proud to partner with the city of Toronto. We ask them to ensure that that money goes to good use to ensure that those units that are uninhabitable now get fixed up so that families can move in.

**Ms. Cheri DiNovo:** The Minister of Housing doesn't, of course, admit that not one new dollar in the budget was allocated for social housing new bills, and the \$100 million that was allocated is for all of Ontario. Save Our Structures has demanded \$300 million for Toronto alone.

So I'm going to ask again: When will this government stop the rhetoric and take serious action to reduce and eliminate the growing list of over 120,000 households waiting for affordable housing in this province?

**Hon. Jim Watson:** It's interesting that the member referenced Save Our Structures, because in the last election the leader of the NDP brought forward a platform and promised \$30 million to repair the backlog of social housing. What did the McGuinty government deliver? Thirty-six million dollars to Toronto.

The second point is that the money is new. It was a new announcement, new dollars flowing to the municipal sector, and when we did announce \$100 million for housing, what did the NDP housing critic call it? A "meagre" \$100 million.

Maybe in the circles that that member travels, \$100 million is meagre, but in my circles that's a lot of money. It's a record amount of money in housing rehabilitation. We're proud of the record. We call on the federal government to come to the table when their funding expires on March 31 of next year.

## ROAD SAFETY

**Mr. Kevin Daniel Flynn:** My question today is for the Minister of Transportation. Yesterday, in my own riding of Oakville, I attended an event to kick off Roadcheck 2008. I spent a few hours at the truck inspection station on the QEW, working with some extremely professional men and women from MTO. They were looking at brakes, tires, steering, frames—all the parts of a truck that should be inspected on a regular basis—all enabling them to ensure the safety of the travelling public on our highways.

I understand this is the 21st year of Roadcheck. It's the 20th year that Ontario has been a participant. I'm hoping the minister will share with this House the reason why the province participates in this year after year.

**Hon. James J. Bradley:** I want to thank the member for asking an excellent question. Roadcheck, as you would know, is an international, annual three-day truck and motor coach safety blitz involving Canada, the US and Mexico.

It allows us to monitor the effectiveness of ministry enforcement programs, increase awareness of commer-

cial vehicle safety issues and remove unsafe vehicles from the highways. Ministry enforcement officers inspect the mechanical condition of the vehicles, driver qualifications and daily logs. Ontario inspects more vehicles than any other Canadian province and most US states. Ontario's 82% compliance rate in 2007 continues the trend of improvements since 1995, when only 57% of the vehicles inspected were deemed to be mechanically fit.

Today is the second day of Roadcheck 2008. I look forward to receiving those results when they are complete. They will assist us in any changes we have to make in terms of enforcement, regulation or legislation.

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**Mr. Kevin Daniel Flynn:** I'm sure we're all pleased to hear that Ontario is still a leader in the Roadcheck safety blitz. Obviously, we'd all encourage that to continue.

The minister mentioned an 81.9% compliance rate in 2007. That's an increase from a rate of only 57% compliance in 1995. That's a significant improvement. But I've also heard of blitzes where there have been much higher rates of non-compliance. That's a concern for my constituents and for all Ontarians who share the roads with commercial vehicles. I'm hoping that the Minister of Transportation can please explain to the House some of the findings of the more significant rates of non-compliance.

**Hon. James J. Bradley:** Ontario, as the member would know, is a leader in truck safety standards and enforcement. Each year, 140,000 commercial driver and vehicle inspections are conducted by MTO's team of highly trained enforcement officers. We will see varying compliance rates resulting from these blitzes, because there are different types of safety blitzes that take place throughout the province each year.

For example, Roadcheck 2008 has a random blitz, where MTO enforcement officers will pull over a random selection of commercial vehicles to inspect. The second type of safety blitz, as seen recently in York region, is a targeted blitz, where enforcement officers use their skills to identify vehicles they feel are of a safety concern. It is only these vehicles that are pulled over to be inspected, possibly leading to a higher non-compliance rate.

Ontario is a major transportation corridor for commercial vehicles and we will continue to conduct safety blitzes and raise the awareness of commercial vehicle—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. New question.

## SUBVENTIONS DESTINÉES À L'ÉDUCATION

### EDUCATION FUNDING

**M. Peter Shurman:** J'ai une question pour la ministre des Affaires francophones. Il me semble que chaque fois que la ministre parle dans cette Chambre, elle est très claire et forte au sujet de la promotion de la langue française. Alors, c'était une surprise pour beaucoup



d'Ontariens de découvrir que l'argent fédéral désigné spécifiquement pour cet effort serait éliminé pour les écoles privées, excepté plusieurs écoles secondaires. Est-ce que la ministre peut confirmer à la Législature qu'elle va maintenant renoncer à sa position forte concernant la langue française, ou est-ce qu'elle peut nous informer d'une nouvelle politique du gouvernement McGuinty créée pour détruire complètement ces écoles privées par n'importe quel moyen ?

**Hon. Madeleine Meilleur:** I'll ask the Minister of Education to answer that question.

**Hon. Kathleen O. Wynne:** Merci beaucoup, mais je dois répondre en anglais; pardonnez-moi.

The issue is that this money for French-language education has been administered by the federal government up until now, and it has now been given to us to administer. The reality is that we believe that it is irresponsible of us to allocate money to schools that we do not inspect, over which we have no control, so the money is only going to schools in the private sector that we inspect. So in fact, there are secondary schools that will receive funding, because we do inspect those schools, but private schools that we do not inspect will not receive this funding.

**Mr. Peter Shurman:** I too will switch to English, because I think all members should get the full brunt of this. Perhaps the minister can confirm that the McGuinty government considers private schools to now be second-class following last fall's election. It's true that Ontarians voted not to fund private schools, but they did not vote to abandon them, either. And they did not vote, nor can they vote, to eliminate federal funds earmarked to teach Ontario's children the French language. This is money directly from Ottawa.

Can the minister assure this House that she will call for a review immediately with a view to reinstituting the former policy of funding the teaching of French to each and every pupil in Ontario, so long as Ottawa provides the funds to do so?

**Hon. Kathleen O. Wynne:** On this side of the House, it is our intention to build the most vibrant publicly funded education system in the world. As a part of that, it is our responsibility to make sure that money that flows to the private system, if it is administered by our government, flows to schools where there is some possibility for accountability. In the private schools that we inspect, that issue Ontario secondary school diplomas and credits in our secondary system, then we flow the money to those schools. But where there is no accountability mechanism, then it would be irresponsible of us to flow that money. Our goal is to have the publicly funded education system the system of first choice for every family in this province.

#### YOUTH SERVICES

**Ms. Andrea Horwath:** My question is for the Minister of Children and Youth Services. Where is the minister's plan, and what is her timetable for a full public

consultation with youth regarding changes she proposes for the Child and Family Services Act, as well as the Ontario youth justice system?

**Hon. Deborah Matthews:** I have to tell you that the member opposite raises a very important issue, and that is the issue of consultation with youth. I have personally spent a considerable amount of my time talking to young people, particularly people who are involved with our child welfare system, about the changes they would like to see in our child welfare system. I am a passionate advocate of youth engagement, and I can assure the member opposite that as we proceed with any changes dealing with youth we will, of course, have a full engagement with them.

**Ms. Andrea Horwath:** I think everybody in this House knows that this minister has got a very poor record when it comes to public consultation generally, particularly on the poverty file.

But nonetheless, I would actually like to know from the minister some specifics. Exactly how much time is the minister allotting for consultations with youth over changes which are going to markedly affect them, when will notices about these meetings take place, and how long is going to be provided for the full consultation that the minister plans?

**Hon. Deborah Matthews:** What I can tell the member opposite is that we are committed to transforming the youth justice system to reduce the chances that youth who are in conflict with the law will reoffend. That has two big advantages: It makes our communities safer and it enables young people to move on and be productive, contributing members of our society.

Of course, I cannot speak to proposals that are not yet before this Legislature, but I can say that we are committed to helping our youth achieve their full potential. That is the objective in every initiative we take, be it poverty reduction, be it working with children in our care, be it youth in the justice system. We're also working very hard to prevent youth from becoming involved with the youth justice system, and our youth opportunity strategy, among other initiatives, is very much focused on that objective.

#### PROPERTY TAXATION

**Mr. Bill Mauro:** My question is for the Minister of Finance. Shortly after the election of 2003, our government made several moves to begin repairing what had been a very fractious relationship between the preceding provincial government and municipalities in Ontario. As a two-term municipal councillor in the city of Thunder Bay, I had direct, first-hand experience with that particular style of government. One of the first things we did to begin repairing that relationship was agree to a request from AMO, the Association of Municipalities of Ontario, to which most organized municipalities in the province belong, to review the provincial land tax system for unorganized municipalities or unorganized areas in the province.



Minister, my constituents in Thunder Bay–Atikokan do not feel that they have had an appropriate ability to convey to our government and your ministry the unique circumstances that many people in northwestern Ontario find themselves in when it comes to PLT reform. Can you confirm if a consultation on PLT will be held in Thunder Bay, and if so, when?

**Hon. Dwight Duncan:** First, allow me to congratulate the member for Thunder Bay–Atikokan, who has been a strong advocate for his community on this issue.

The member will know that in the fall of 2004 we conducted a number of consultations throughout northern Ontario. We met with more than 350 individuals in places like Sault Ste. Marie, Sudbury, Fort Frances, Kenora, Dryden, North Bay and Thunder Bay.

But to the member's specific question, yes, we will do another round of consultations, thanks to your advocacy on that. We will indeed be in Thunder Bay to do that. We will focus on PLT rates, phase-in and new services. I look forward to the member's continuing input on the issue.

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**Mr. Bill Mauro:** There is a significant misconception when it comes to tax rates of people living in unorganized territory within Thunder Bay–Atikokan and other unorganized areas within the province. Many of these people already pay a roads boards tax and/or an education tax. Furthermore, many of those who will be affected by PLT reform are seasonal residents who live full-time within organized municipalities and pay a full-time residential property tax for the services the municipalities provide. They receive, in most circumstances, very limited services for properties that in many cases are 30, 60 or 80 miles away from the nearest organized municipality.

I've been speaking publicly for close to two years on this issue, to at least 1,000 people who share my very serious concern on how PLT reform may affect the affordability of these residences. Minister, can you advise me and my constituents of Thunder Bay–Atikokan about how you envision PLT reform being rolled out and the impact on affordability it is likely to have?

**Hon. Dwight Duncan:** The member raises very valid concerns. PLT reform is about fairness, so that similar properties will pay similar taxes. We're attempting here to further modernize a property tax system that has not been updated since the 1940s. We hope to create one fair and consistent property assessment system across the province.

Again, in part due to the member's efforts, any tax changes will be phased in. There have been no final decisions made. That's why we're doing this round of consultations: to get that input. I would like to congratulate the member again on the outstanding contribution he has made in defending the interests of his constituents to ensure that they have fair representation in this process and that their legitimate concerns are taken into account.

## ABORIGINAL AFFAIRS

**Mr. Toby Barrett:** I'll direct my question to the Premier in the absence of the Minister of Aboriginal Affairs.

**The Speaker (Hon. Steve Peters):** We don't talk about absences.

**Mr. Toby Barrett:** To the Minister of Aboriginal Affairs: Minister, as you know, there is talk in my riding of Haldimand–Norfolk about the \$25-million relationship fund set up by your government to encourage greater coordination amongst government and aboriginal communities. In the Brantford courtroom on Friday were Marlys Edwardh, a high-profile Toronto lawyer who has been hired by HDI, and also their lawyer, Aaron Detlor. Minister, are some of the monies from this \$25-million relationship fund budgeted to help pay for Toronto lawyers to fight local construction companies and home builders and to fight the city of Brantford?

**Hon. Michael Bryant:** No.

**Mr. Toby Barrett:** Thank you, Minister. Further to this, taxpayers in Haldimand–Norfolk would like to know where the money in this relationship fund will be going. I didn't hear that in your answer. Home builders like Mike Corrado in Cayuga, for example, are keen to know if the province will establish a relationship fund for them as well. They have tremendous legal fees and have been the victims of extortion. Minister, is there a plan in place to help compensate home builders like Mike Corrado?

**Hon. Michael Bryant:** I appreciate the member's question. I think it's very important that the member raises the new relationship fund, because it is in fact an opportunity to allow for the playing field to be levelled, to allow for greater economic development, to allow for the acceleration of land claims that require action from the federal government, so that First Nations and Metis leadership are in the position where we can move through these claims in particular, and these potential economic development projects, that much more quickly. What that will mean, of course, is less of the kind of activity that gave rise to what the member refers to. The root cause of this is a federal government policy of hesitation over acceleration. We call for the federal government to do so, and I am confident that the federal government is certainly listening. We're looking forward to some action.

## ENDANGERED SPECIES

**Mr. Gilles Bisson:** My question is to the Premier. You'll know that mayors from across northern Ontario are coming here to Queen's Park today in protest of what's happening in the forestry industry generally, but specifically, how this new process that you've created under the Endangered Species Act will make them duplicate a process that they're already doing under the forest management plans that they have to do under the forest management act.



My question to you is simply this: What are you prepared to do as the Premier in order to make sure that you accept a premise that the work that's done within the forest management plans be the way that we basically protect endangered species, rather than having to duplicate a process and add costs to an industry that is already hurting?

**Hon. Dalton McGuinty:** To the Minister of Natural Resources.

**Hon. Donna H. Cansfield:** I'm delighted to be able to respond, but I find it a fascinating question from the member for Timmins—James Bay, since he voted against the legislation for endangered species. Fascinating—suddenly he's become a strong advocate.

I have indicated quite clearly that the Premier's message to the forestry industry stated that we will integrate into the forest management plans the new Endangered Species Act, and we have a year with which to do it. We have asked them to come and sit with us. After we go through the Environmental Bill of Rights, we listen to everyone who has an opportunity to speak and state their case. Once that is done and the decision is made, certainly we will ask them to come to the table and work with us as we develop the plans in terms of integrating into the forest management plans.

**Mr. Gilles Bisson:** Minister, I don't know what's happening in your ministry if they haven't already briefed you, but let me explain to you. When you have the forest management plan, there are forest planning manuals that you have to follow to develop the plan. The plan engages in making sure that we plan when it comes to cutting trees, that we take into consideration the habitat and the species which we'll be encountering when we go into the process of harvesting.

Those manuals, if you stacked them up on this desk today, would be somewhere around this high. What you're doing is forcing the industry to duplicate the process. What you're basically doing is saying that you're going to have to apply for permits above and beyond what we already have in the forest management plan.

The reason I voted against the legislation was that you never accepted our amendment that would have incorporated the good work that's been done under the sustainable forestry development act that could have been tied into this legislation. So I say again, will you accept the premise that the work done on the forest management plan be the work that makes sure that we're compliant with the Endangered Species Act?

**Hon. Donna H. Cansfield:** The member makes a great many assumptions. We have a whole year to sit down and work with the forestry industry in the forest management plans. We will do that. It's a commitment we have made. We will follow through with that commitment. I don't think there should be some huge assumptions made about what that might look like because, in fact, those decisions haven't been made. The commitment is that we can build on the standards there. They're superb standards with companies, as I indicated, such as Tembec, who have been working with the forest-

dwelling woodland caribou, and we will continue to do that to ensure that we have the highest standards when it comes to our endangered species within the forest industry.

And we have the commitment of the industry—not all of them, at this point—to work with us. They will certainly be invited to the table as we find solutions.

## PETITIONS

### LORD'S PRAYER

**Mr. Jim Wilson:** I want to thank John Lawrence of Wasaga Beach for sending this petition to me.

"Whereas Premier Dalton McGuinty has called on the Ontario Legislature to consider removing the Lord's Prayer from its daily proceedings; and

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe; and

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"We, the undersigned, petition the Legislative Assembly of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

I agree with this petition and I will sign it.

### LONG-TERM CARE

**M<sup>me</sup> France Gélinas:** I have a petition from the people of the city of Greater Sudbury.

"Whereas in Ontario there is no minimum standard of daily nursing and personal care for seniors living in long-term-care homes;

"Whereas Ontario seniors in long-term care are given only \$5.57 per day for meals;

"Whereas our personal support workers, the front-line staff in long-term-care homes, are stretched to the limit trying to meet residents' basic needs;

"Whereas the McGuinty Liberals have broken their promises to increase overall per-resident funding by \$6,000, to bring in a minimum of care for seniors, to hire an ombudsman to make long-term care fairer and more transparent, and to hire 2,000 new long-term-care workers, including 600 nurses; and

"Whereas Dalton McGuinty rewarded himself with a \$40,000 pay raise;

"I petition the Ontario government to immediately fulfill the McGuinty Liberal promises for seniors."

I support this petition, will affix my name to it and send it with page Murray.

1150

## LORD'S PRAYER

**Mr. Phil McNeely:** "To the Legislative Assembly of Ontario:

"Whereas Premier Dalton McGuinty is proposing to eliminate the Lord's Prayer from its place at the beginning of daily proceedings in this Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer recognizes the principles on which our province was founded and developed; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I will affix my signature to that.

ONTARIO SOCIETY  
FOR THE PREVENTION  
OF CRUELTY TO ANIMALS

**Mrs. Elizabeth Witmer:** I am pleased to present a petition from 10-year-old Elyse Heubner. She came personally to Toronto.

"To the Legislative Assembly of Ontario:

"Whereas currently it is not a provincial offence to cause distress to an animal and places like puppy mills are dreadful and cruel, and all animals should be treated with love and kindness;

"We want the Ontario government to update the law so this madness will stop;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"It is essential to pass Bill 50 as soon as possible to help protect animals and punish anyone who is cruel to animals."

I have about 500 signatures, and I'm pleased to support Elyse and her friends.

## PROTECTION FOR MINERS

**M<sup>me</sup> France Gélinas:** I have a petition from the people of Sudbury.

"Whereas the current legislation contained in the Ontario health and safety act does not protect the lives of miners, we request revisions to the act;

"Lyle Everett Defoe"—a member of my riding—"and the scoop tram he was operating fell 150 feet down an open stope (July 23, 2007). Lyle was 25 years and 15 days old when he was killed at Xstrata Kidd Creek mine site, Timmins.

"Section R-60 (page 60 of Mining Regulations), paragraph 74 states that, 'A shaft, raise or other opening in an underground mine shall be securely fenced, covered

or otherwise guarded. RRO 1990, Reg. 854s 75(1).' The stope where Lyle was killed was protected by a length of orange plastic snow fence and a rope with a warning sign. These barriers would not have been visible if the bucket of the scoop tram was raised. Lyle's body was recovered from behind the scoop tram.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Concrete berms must be mandatory to protect all open stopes and raises;

"All miners and contractors working underground must have working communication devices and personal locators;

"All equipment involved in injuries and fatalities must be recovered and examined unless such recovery would endanger the lives of others; and

"The entire act must be reviewed and amended to better protect underground workers."

I support this petition, will affix my name to it and send it with page Alie.

## FIREARMS CONTROL

**Mrs. Amrit Mangat:** I have a petition to the Legislative Assembly of Ontario:

"Whereas the growing number of unlawful firearms in motor vehicles is threatening innocent citizens and our police officers;

"Whereas police officers, military personnel and lawfully licensed persons are the only people allowed to possess firearms; and

"Whereas a growing number of unlawful firearms are transported, smuggled and being found in motor vehicles; and

"Whereas impounding motor vehicles and suspending driver's licences of persons possessing unlawful firearms would aid the police in their efforts to make our streets safer;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 56, entitled the Unlawful Firearms in Vehicles Act, 2008, into law, so that we can reduce the number of crimes involving firearms in our communities."

I support this petition and affix my signature, and I ask Aaron to carry it for me.

## HOME CARE

**M<sup>me</sup> France Gélinas:** I have a petition from the members of SEIU and the residents of Peterborough.

"To the Legislative Assembly of Ontario:

"Whereas the Ontario government has continued the practice of competitive bidding for home care services; and

"Whereas the competitive bidding process has increased the privatization of Ontario's health care delivery, in direct violation of the Commitment to the Future of Medicare Act, 2004; and



"Whereas competitive bidding for home care services has decreased both the continuity and quality of care available to home care clients; and

"Whereas home care workers do not enjoy the same employment rights, such as successor rights, as all other Ontario workers have, which deprives them of termination rights, seniority rights and the right to move with their work when their employer agency loses a contract;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario:

"(1) to immediately stop the competitive bidding for home care services so home care clients can receive the continuity and quality of care they deserve; and

"(2) to extend successor rights under the Labour Relations Act to home care workers to ensure the home care sector is able to retain a workforce that is responsive to clients' needs."

I support this petition, will affix my name to it and send it with page Chris.

#### COMMUNITY SAFETY

**Mr. Yasir Naqvi:** "To the Legislative Assembly of Ontario:

"Whereas crack houses, brothels and other persistent problem properties undermine a neighbourhood by generating public disorder, fear and insecurity; and

"Whereas current solutions—enforcement measures based on current criminal, civil and bylaws—are slow, expensive, cumbersome and not always successful; and

"Whereas safer communities and neighbourhoods (SCAN) legislation is provincial, civil law which counters the negative impact on neighbourhoods of entrenched drug, prostitution or illegal liquor sales based out of homes and businesses and is being successfully utilized in Manitoba, Saskatchewan, Nova Scotia and the Yukon; and

"Whereas the following have endorsed SCAN legislation: city of Ottawa, city of Kingston, city of Hamilton, federation of Ontario municipalities, Ottawa Police Service, Ottawa Police Services Board, Ottawa Centre MPP Yasir Naqvi, Ottawa Neighbourhood Watch executive committee, Concerned Citizens for Safer Neighbourhoods, Eastern Ontario Landlord Organization, Friends and Tenants of Ottawa Community Housing, Hintonburg Community Association, Somerset Street Chinatown BIA, Boys and Girls Club of Ottawa and the Dalhousie Community Association;

"Be it resolved that we, the undersigned, urge the province of Ontario to enact safer communities and neighbourhood (SCAN) legislation in Ontario for the benefit of our neighbourhoods and communities."

I support this petition and affix my signature and send it your way by way of page Doaa.

#### LONG-TERM CARE

**M<sup>me</sup> France Gélinas:** I have this petition from the people of London and Waterloo.

"Whereas understaffing in Ontario's nursing homes is a serious problem resulting in inadequate care for residents and unsafe conditions for staff;

"Whereas after the Harris government removed the regulations providing minimum care levels in 1995, hours of care dropped below the previous 2.25 hour/day minimum;

"Whereas the recent improvements in hours of care are not adequate, vary widely and are not held to accountable standards;

"Whereas there is currently nothing in legislation to protect residents and staff from renewed cuts to care levels by future governments; and

"Whereas care needs have measurably increased with aging and the movement of people with more complex health needs from hospitals into long-term-care homes;"

They petition the assembly to:

"Immediately enact and fund an average care standard of 3.5 hours per resident per day in the regulations under the new Long-Term Care Homes Act."

I support this petition, will affix my name to it and send it with page Dina.

#### HOSPITAL FUNDING

**Mr. Joe Dickson:** A petition to the Legislative Assembly of Ontario:

"Whereas the Central East Local Health Integration Network board of directors has approved the Rouge Valley Health System's deficit elimination plan, subject to public meetings; and

"Whereas it is important to ensure that the new birthing unit at Centenary hospital, a \$20-million expansion that will see 16 new labour, delivery, recovery and postpartum (LDRP) birthing rooms and an additional 21 postpartum rooms added by October 2008, will not cause any decline in the pediatric services currently provided at the Ajax-Pickering hospital; and

"Whereas, with the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a project that could reach \$100 million, of which 90% is funded by the Ontario government...; and

"Whereas it is also imperative for the Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding; and

"Whereas the parents of Ajax and Pickering deserve the right to have their children born in their own community, where they have chosen to live and work;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Rouge Valley Health System continue to provide the current level of service; and

"That our Ajax-Pickering hospital now serves the fastest-growing communities of west Durham; and

"That the Ajax-Pickering hospital retain its full maternity unit."

I affix my signature to this and pass it to Chris.

#### ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

**Mr. Mike Colle:** I have a petition here from the people of Eglinton-Lawrence in support of stronger protection for our animals in Ontario.

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Society for the Prevention of Cruelty to Animals Act has not been updated since 1919;

"Whereas Bill 50 would require all veterinarians to report suspected abuse and neglect, protecting veterinarians from liability;

"Whereas it would allow the OSPCA to inspect and investigate places where animals are kept;

"Whereas the bill would prohibit the training of animals to fight;

"Whereas Bill 50 would allow the OSPCA to inspect roadside zoos;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 50, entitled the Provincial Animal Welfare Act, 2008, to protect our animal friends."

I fully support this and I give the petition to page Ellen.

#### HOSPITAL FUNDING

**Mr. Bob Delaney:** I have a petition to the Ontario Legislative Assembly. It reads as follows:

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative, intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre, located in western Mississauga, to serve the Mississauga-Halton area, and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I am pleased to sign and to support this petition and to ask page Christopher to carry it for me.

#### ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

**Mr. Mike Colle:** I have more petitions here in support of stronger protection for animal welfare in Ontario. These people live in the Forest Hill area of Toronto and here's their petition.

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Society for the Prevention of Cruelty to Animals Act has not been updated since 1919;

"Whereas Bill 50 would require all veterinarians to report suspected abuse and neglect, protecting veterinarians from liability;

"Whereas it would allow the OSPCA to inspect and investigate places where animals are kept;

"Whereas the bill would prohibit the training of animals to fight;

"Whereas Bill 50 would allow the OSPCA to inspect roadside zoos;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 50, entitled the Provincial Animal Welfare Act, 2008, to protect our animal friends."

I fully support this petition and I hand this petition over to Alie, who is from Timmins-James Bay, a fine page from that wonderful part of our province.

**The Speaker (Hon. Steve Peters):** The time for petitions has ended. This House stands recessed until 3 o'clock this afternoon.

*The House recessed from 1204 to 1500.*

#### ONTARIO ASSOCIATION OF FORMER PARLIAMENTARIANS

**The Speaker (Hon. Steve Peters):** I just wanted to remind the members that there are a number of former parliamentarians visiting today. It's the annual general meeting of the Ontario Association of Former Parliamentarians. There's going to be a reception later this afternoon, and I know the former members would love to meet you.

As well, we're going to be planting a tree on the grounds at 4 o'clock this afternoon in memory of former MPPs who have passed away in the past year. If any of you are interested, 4 p.m. on the front grounds.

#### MEMBERS' STATEMENTS

##### CLOTHING ALLOWANCES

**Mrs. Julia Munro:** This government has made a lot of announcements about how its child benefit will benefit Ontario's children. What it fails to point out is that at the same time it is bringing in the benefit, it is abolishing the back-to-school and winter clothing allowance for chil-



dren. The McGuinty government is giving with one hand and taking away with the other.

On May 15, York region council asked you to reinstate the clothing allowance for 2008. Thousands of families in Ontario depend on this payment, and they may not be able to put away money every month to make up for the cut to the allowance. In August and November, families would have received \$245 per child for the two clothing allowances. By starting your program in July and cutting the clothing allowance, you will force families to save both payments from half a year's worth of benefits.

In 2007, families in York region received \$591,000 to help pay for clothes for their children. The McGuinty Liberal government is cutting them off. You claim to care about poverty, so why are you axing this payment?

### MEN'S HEALTH AWARENESS WEEK

**Mr. Joe Dickson:** I'm pleased to bring to the attention of the House a very important issue. Recently, the region of Durham council proclaimed next week, June 9 to 15, Men's Health Awareness Week. In making this week, the region reminds us in their proclamation that "it is important for all males, regardless of age, to become more informed about issues impacting their health, and to take a more responsible attitude toward their health and well-being."

As New Mexico Governor Bill Richardson once wisely said, "Recognizing and preventing men's health problems is not just a man's issue. Because of its impact on wives, mothers, daughters and sisters, men's health is truly a family issue."

Men's Health Awareness Week is an international event involving many countries that promotes men's health and encourages men of all ages to seek regular medical advice. It increases awareness of the importance of early detection and treatment of diseases such as prostate cancer, which the McGuinty government will be funding as of January 1, 2009.

I would like to acknowledge the region of Durham council and Chair Anderson for taking a leadership role in promoting men's health. In particular, I'd like to thank a constituent of mine, Jim Duncan, whose energy and dedication to men's health awareness is an inspiration.

### RURAL ONTARIO

**Mr. Ernie Hardeman:** The McGuinty Liberals and their so-called rural representative have once again rejected rural Ontario. Despite repeated requests by stakeholders and the PC caucus to hold public hearings on the pesticide bill outside of Toronto, and especially in rural Ontario, the McGuinty Liberals are shutting out democracy by holding public hearings only in Toronto. The McGuinty Liberals have said no to fairness for rural Ontario, and people in cities like Kingston, Ottawa, Thunder Bay and Sarnia.

On May 26, the Liberal member from Huron-Bruce said, "I look forward to the hearings, and they should come to rural Ontario, where they will be very graciously received by the McGuinty government." Instead, her McGuinty colleagues have flat out rejected rural Ontario and her request for even one single hearing on the pesticide bill in rural Ontario. This is despite the fact that rural municipalities have shown leadership on this front for years. The parliamentary assistant for the environment said that he has faith in the agriculture sector. I say, then why are you shutting them out?

Where is the Minister of Agriculture and Rural Affairs? She knows that hearings in Toronto won't allow many stakeholders from the forestry and agriculture sectors to have a say, especially at this busy time of year.

This is a three-page bill that affects every township, municipality and city in this province, but the McGuinty government isn't willing to talk to anyone outside the walls of Queen's Park. The Liberals are shutting out democracy and throwing in the towel for rural Ontario.

### CLIMATE CHANGE

**Mr. Peter Tabuns:** This week a memorandum of understanding was signed between the provinces of Ontario and Quebec to develop a cap-and-trade system for greenhouse gas emissions. It got an awful lot of coverage, far beyond its potential to actually deal with the problem.

Climate change is not like acid rain; it's not like phosphates; it's not like other pollution issues. It's a profound threat to the stability of our society and the future of our children. The scale of the looming crisis is at least as great as that of the Second World War. Charles Caccia, former Liberal MP, said it was a threat exceeded only by that of nuclear war.

Yet this province has no climate plan, no substantial allocation of funds for climate action and no commitment to building a new energy economy that would move us away from fossil fuels to a sustainable future. Both the United Nations and Lord Stern, in his report to the government of the UK, said that we needed to act fast, dramatically, within the next 10 years.

An absence of substantial action in the face of this dramatic threat is morally bankrupt, and on the issue of climate change, this government is morally bankrupt.

### RIDEAU CANAL FESTIVAL

**Mr. Yasir Naqvi:** As Ontario celebrates National Tourism Week, I am pleased to be able to share with the members of this Legislature the wonderful activities taking place in my riding of Ottawa Centre. Last month, I had the pleasure of attending the launch of the Rideau Canal Festival at the Bytown Museum, along with our hometown Minister of Community and Social Services. Our government, through Celebrate Ontario 2008, is proud to contribute \$300,000 as a partner in this important inaugural festival.

The Rideau Canal, built 175 years ago, is a unique tourism destination in Ontario, and this festival not only celebrates the importance of the Rideau Canal to our city but also to the world, as a United Nations Educational, Scientific and Cultural Organization, UNESCO, heritage site.

Taking place in August, the Rideau Canal Festival is committed to being the first zero-footprint festival ever staged in Canada, with special initiatives designed to help reduce greenhouse gas emissions produced during the festival to zero. I congratulate Michel Gauthier, president and CEO, and Henry Storgaard, chairman, along with all of the volunteers, for their hard work and dedication to ensuring that this historic national landmark does not go unnoticed.

I encourage all members of my community, this Legislature and beyond to visit Ottawa this summer and enjoy the wonderful activities taking place.

### ALDRESHOT

**Mrs. Joyce Savoline:** I rise in the House today to recognize the 50th anniversary of the beautiful community of Aldershot. Named after an English borough in Hampshire, Aldershot is a product of the unprecedented changes that happened in our towns and cities after World War II, a transportation hub steeped in natural beauty with a proud history of hosting nation builders.

Recently repatriated into the Burlington riding, I am pleased to be able to welcome back the citizens who are the lifeblood of this vibrant village, who have chosen to build their lives in Aldershot. I encourage all of our members to take the time out of their busy schedules and visit this very unique part of our province.

Home to the Royal Botanical Gardens, LaSalle Park and its wonderful marina, sports fields, trails, picnic areas and abounding natural heritage, and bordering Hamilton, Aldershot is the jewel of Burlington's western front, successfully maintaining its unique character throughout many boundary transitions.

I want to congratulate the residents and also the businesses of Aldershot on the occasion of their 50th anniversary, and I continue to wish them a prosperous and peaceful future.

1510

### ADVANCED CORONARY TREATMENT FOUNDATION OF CANADA

**Mr. Jeff Leal:** On May 30, I had the opportunity to attend the launch of the advanced coronary treatment program in Peterborough at Adam Scott secondary school. More than 4,300 grade 9 students from 23 high schools from both of the school boards in my riding will now be empowered to save lives. This is a significant contribution to safety in my community and beyond. Sixty physical education teachers have been trained as CPR instructors to train the students. The students will

then take their life-saving skills to their current and future families and to the local community.

Eight in 10 out-of-hospital cardiac arrests occur at home. Research indicates that citizen CPR response can improve survival rates by almost fourfold. Empowering youth with CPR training as part of their high school education will increase citizen CPR response rates and save lives over the long term.

The ACT Foundation's goal is to expand the CPR program to every high school throughout Ontario. To help make this possible, ACT has secured a provincial commitment of \$650,000 from the government of Ontario. The foundation has already established CPR programs in over 1,200 high schools across Canada, and over 900,000 youths have been trained.

The foundation and its core partners are winners of Imagine Canada's New Spirit of Community Partnership Award. I want to offer my congratulations to the creators of the ACT program.

### ELDER ABUSE

**Mr. Bill Mauro:** June is Seniors' Month, and I want to highlight Ontario's strategy to combat elder abuse, which is the first of its kind in Canada.

Elder abuse is often defined as any act or omission that harms a senior or jeopardizes his or her health or welfare. Elder abuse can take place in the home, in other residential settings, or in the community.

The Ontario Seniors' Secretariat developed Ontario's strategy to combat elder abuse and is partnering with the Ontario Network for the Prevention of Elder Abuse. Elder abuse regional consultants are in place province-wide to help promote and support efforts in addressing and preventing elder abuse. There are 55 elder abuse committees in Ontario, with eight in northwestern Ontario.

Overall, the Ontario Seniors' Secretariat, through the leadership of the minister responsible for seniors, the Honourable Aileen Carroll, has invested \$1.6 million in Ontario's strategy to combat elder abuse. In May 2008, another \$209,000 was given to the Ontario Network for local groups such as the Community Elder Abuse Prevention Committee, run through the Lakehead Social Planning Council, in Thunder Bay.

The elder abuse regional consultant in northwestern Ontario is Ms. Lee Stones. Ms. Stones is coordinating the Thunder Bay elder abuse committee. Seniors who need immediate assistance can also telephone 211, which is staffed 24/7.

World Elder Abuse Awareness Day is on June 15 this year. In Thunder Bay, the event will be observed at the Intercity mall on June 14 from 10 to 4.

Ontario's seniors deserve to live safely and with dignity. I am proud to acknowledge that our provincial government is a Canadian leader on the elder abuse initiative.



## EDUCATION FUNDING

**Mr. David Oraziatti:** I'm continually amazed by the incompetence of the official opposition.

On Monday, the Conservatives put out a release calling on me to stop the possible closure of several aging schools in Sault Ste. Marie. The member from Burlington and her party showed they are just as out of touch with my riding as they are with the rest of Ontario. If the Conservatives had done their homework, they'd know that the McGuinty government is providing \$44.8 million to replace these schools, something their government refused to do over eight years.

Here's what Algoma District School Board chair Wanda McQueen had to say in response to the Tory motion on rural schools: Parents "want the process sped up; they don't want it slowed down (and) they certainly don't want a moratorium."

Here's what Mario Turco, the director of education, said: "Parents in this community would be against us closing schools if they didn't have something to look forward to, like a brand new school."

Students in the Soo have benefited from a 37% increase in funding, in sharp contrast to the unrest, chaos and mismanagement prevalent during their time in office. They closed 506 public schools, cut \$1 billion out of education, and students lost 26 million learning days. Ontarians know the Conservatives have absolutely no interest in supporting public education.

Yesterday, in another release sent to my riding, the Conservatives said that I skipped the vote. The fact is, I was right here and voted on the motion, unlike their own members. Only 14 of 26 Conservative members showed up to vote on their own motion.

Get a leader in the Legislature, get organized, and get your facts straight.

## INTRODUCTION OF BILLS

### TOWING INDUSTRY ACT, 2008 LOI DE 2008 SUR L'INDUSTRIE DU REMORQUAGE

Mr. Zimmer moved first reading of the following bill:

Bill 87, An Act to regulate the motor vehicle towing industry in Ontario / Projet de loi 87, Loi réglementant l'industrie du remorquage de véhicules automobiles en Ontario.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Mr. David Zimmer:** The bill provides for the self-regulation of the towing industry in Ontario in the public interest. The Towing Industry Council of Ontario is established. The council, which is managed by a board of

directors, is made up of operators of towing businesses and tow truck drivers who must register with the council in order to carry on a towing business or operate a tow truck. At least 40% of directors are appointed from outside the industry to ensure that the public interest is represented.

The activities of the council are funded through fees established by bylaw of the board and paid by registered persons and applicants for registration.

A complaints and discipline procedure is provided to ensure that registered persons are held accountable for the way in which they provide towing services. Registrations may be suspended or revoked, if necessary.

The board of the council is provided with regulation-making powers that are subject to the approval of the Minister of Government and Consumer Services.

**The Speaker (Hon. Steve Peters):** Thank you.

**Mr. David Zimmer:** Mr. Speaker, on a point of order—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Thank you. We know there's an appropriate time for guests, and we welcome all of our guests to the chamber today.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### SENIORS' MONTH

### MOIS DES PERSONNES ÂGÉES

**Hon. M. Aileen Carroll:** I'm pleased to rise before this House today to recognize June as Seniors' Month. For the 24th year, this House has recognized June as a time to celebrate the contributions that seniors have made and continue to make to their families, to their communities and to the province. This year our Seniors' Month theme is "Discover the Possibilities," and it was my pleasure to launch this special month in the Niagara-on-the-Lake public library, surfing the Web.

Le thème du Mois des personnes âgées de cette année est Explorez les possibilités, et j'ai eu le grand plaisir de lancer ce mois spécial à la bibliothèque publique de Niagara-on-the-Lake en naviguant sur Internet.

At the Niagara library, we were connected to people in Addington Highlands, Gravenhurst, Leamington, Montague, Powassan and Wasaga Beach via the Internet. We were joined by these communities to launch seven new locations to our Collaborative Seniors Portal Network at seniorsinfo.ca. This network of 29 Ontario communities provides easy one-stop access to information about programs and services offered to seniors by all orders of government and local community organizations. It's an award-winning example of all three orders of government working in a collaborative way for Ontario's seniors.

Ce réseau est un très bel exemple de la collaboration des trois paliers de gouvernement visant les personnes âgées de l'Ontario.



There are 1.6 million seniors in Ontario today and that number is expected to double to 3.2 million in the next 20 years. At the same time, more of our seniors are leading healthy, active, independent lives, discovering those possibilities every day.

The McGuinty government is committed to encouraging active and healthy aging and we do so through initiatives like seniorsinfo.ca and our seniors information fairs that are organized through our partners, the Older Adult Centres' Association of Ontario et la Fédération des aînés et des retraités francophones de l'Ontario.

1520

We are committed to helping seniors keep their independence for as long as possible. That is why we've invested \$700 million in our aging-at-home strategy, to match the needs of local seniors with appropriate support services. That is why in our 2008 budget we introduced a new \$1-billion seniors' property tax grant to help low- and moderate-income senior homeowners stay in their homes.

The McGuinty government believes in honouring the service and sacrifice of Ontario veterans. Our Veteran Appreciation Days, a partnership with the Dominion Institute, recognizes the contributions of our veterans in 10 communities this year.

Le gouvernement McGuinty croit qu'il est important de rendre hommage aux services qu'ont rendus les anciens combattants de l'Ontario et à leurs sacrifices. Cette année, nos journées d'appréciation des anciens combattants, en partenariat avec l'Institut du Dominion, reconnaissent les contributions de nos anciens combattants dans 10 collectivités de l'Ontario.

Our government is also committed to keeping our seniors safe. That's why we've invested \$2.77 million over the past three years to combat elder abuse. On June 15, Ontario will be joining the rest of Canada—and the rest of the world—in marking World Elder Abuse Awareness Day.

Every day of every month, our government is committed to helping seniors live the best possible life they can. We celebrate seniors in many ways, but especially in June, when we shine the spotlight on our seniors to celebrate their contributions.

I am pleased that communities across the province will be hosting award ceremonies, information fairs, seminars and social events to honour Ontario's seniors, a group that all of you will soon, or not too far away, be joining. That is our way of saying thank you for helping to build a strong Ontario.

Je suis heureuse que les collectivités de toute la province organisent des cérémonies de remise de prix, des foires d'information, des séminaires et des activités sociales pour rendre hommage aux personnes âgées de l'Ontario. C'est notre façon de vous remercier de nous aider à bâtir une province solide.

I encourage all of my colleagues in this House and Ontarians everywhere to go out into their communities and join in the celebration.

## TOURISM WEEK

**Hon. Peter Fonseca:** Ontario is celebrating National Tourism Week, which started on Monday and runs through to June 8. The theme this year is "Potential Worth Exploring." This is exactly what we are doing to build a brighter future for our tourism industry. After all, tourism is a major economic driver and community builder across Ontario. It's a \$22.8-billion industry that supports more than 300,000 jobs. It's the largest seasonal employer of youth in our province.

While we have a lot of potential worth exploring, we also have some great success stories. We have an internationally acclaimed wine and culinary tourism sector that is getting better and better every year. Last year, we got our first UNESCO world heritage site, our very own Fort Henry in Kingston. We have an outstanding range of festivals and events that make Ontario an exciting place to visit year-round. It's not surprising that we want more tourists and investors to see what we see: "There's no place like this."

But there's a world of possibilities and competition out there. Global tourism is experiencing unprecedented growth. International rivals are expected to more than double by the year 2020. Ontario has been working hard to attract visitors from many overseas markets, including China, India and Brazil.

We want more travellers to come here and choose Ontario, but we have to be able to offer them something different. We need to ensure that we can meet the demand for new experiences and new trends in travel. Cultural tourism, eco-tourism and the cruising sector are just a few of the specialty areas that we're developing from Niagara Falls to the far north. The competition is fierce and we need to make sure that we're up to the challenge and at the top of our game. So we're taking a long, hard look at how we can ensure the long-term viability of the tourism sector. We have to think big, bold and out of the box to make Ontario the destination of choice for travellers from around the world.

What are we doing to make this happen? We're undertaking a competitiveness study that will get Ontario talking about the future of tourism, raise the profile of the industry, and deliver an agenda to support the growth of tourism as an important part of our economic development. My colleague the MPP for Vaughan, Greg Sorbara, is chairing the study. He's as passionate about being a champion for Ontario tourism as I am.

I'm pleased to announce that today we have released a discussion paper called Mapping Ontario's Tourism Future. It's a call for input, not just from industry participants but from all Ontarians. We're asking the industry, our business leaders and the community at large to give us their thoughts on how we can build a stronger, more competitive tourism industry.

Let me be clear: Government alone cannot build a thriving tourism sector. It requires all of us, working in partnership and in new ways, to realize the potential that tourism has to offer. The resulting action plan, to be



released in 2009, will provide recommendations to position Ontario as a leading global tourism destination.

In the meantime, I'd like to call on all my colleagues to celebrate the outstanding achievements and the hard work of our tourism industry during Tourism Week. Tourism has a tremendous impact on every region in our province and in every community. It's the single largest employer of our youth in Ontario. Get people talking about tourism in your communities and the important role it plays in generating civic pride and creating memorable experiences for family and friends.

Tell them to take advantage of our 2008 fun pass. Yesterday, I went to Huronia Historical Parks in Midland to announce the fun pass, which provides one free child's admission with the purchase of an adult or senior admission to 15 provincial attractions. We've distributed 1.4 million passes to school children across this province.

The fun pass gives families across Ontario 15 affordable ways to have fun and explore our beautiful province this summer. It will be valid from Canada Day until Labour Day. That's two months' worth of fun and quality time together for families across the province.

The fun pass is just one of the many ways that our government is supporting the tourism industry and boosting Ontario's industry. We're investing more than \$50 million over the next four years in tourism marketing, in festivals and events.

We have already seen some impressive results from our current advertising campaign, which is called There's No Place Like This. The campaign encourages Ontarians to discover the wonderful things that our province has to offer. And it seems our efforts have paid off: Domestic tourism is up. More Ontarians are enjoying the unique experiences—the festivals and events—that take place year-round in our province.

For that, we can thank the energetic people who work in our tourism industry. They are passionate ambassadors for Ontario, and as their champion, I'm proud of the work that they do. I'm glad that Tourism Week gives us a chance to honour their leadership, their creativity and the excellent service that they provide. What better way to do that than by taking time to explore Ontario? Visit our attractions and our parks and say "thank you" to our ambassadors.

**The Speaker (Hon. Steve Peters):** Responses?

#### SENIORS' MONTH

**Mr. Peter Shurman:** I am responding to the statement by the minister responsible for seniors in the province of Ontario. How dare this minister, or any other member of the McGuinty government, claim to be doing anything positive for seniors in this province?

Seniors' Month is more than words. It's more than photo ops, hollow speeches, empty rhetoric. I fear this point is lost on members of the government benches.

The minister supposedly responsible for seniors claims she cares about this key segment of our population. If the minister truly did care, why was she absent from last

Thursday's vote on Bill 78, a bill that would have provided real property tax relief for low-income seniors and disabled persons? Come to think of it, a number of Liberal members from ridings with large seniors' populations were noticeably absent from the debate and the vote last Thursday. For example, the members for Ottawa-Vanier, Kingston and the Islands, Nipissing, Niagara Falls and St. Catharines, to name but a few, were all absent.

1530

**Hon. James J. Bradley:** On a point of order, Mr. Speaker: I think it's against the rule of the Legislature to make reference to any absences in this House; otherwise, I could make some interesting references right now.

**The Speaker (Hon. Steve Peters):** I will remind members on both sides, because the honourable member made reference to a minister being absent. There was a statement earlier from the member for Sault Ste. Marie in which he made reference to his own absence. So we'll remind all members of that.

**Mr. Peter Shurman:** Point taken.

I guess it's easier to talk the talk than walk the walk. Say one thing when it's politically expedient; do otherwise. It's the McGuinty Liberal way.

The reality is that today's draconian property tax laws punish seniors and push them to the brink of poverty, instead of reflecting the gratitude that the minister says we should display for the important contributions they've made to this province. I guess displaying gratitude for seniors is okay, but when it comes to helping seniors, the McGuinty Liberals are prepared to cripple them financially.

An opportunity for innovative legislation and leadership to help our greying population was lost on Thursday when the McGuinty Liberals decided to vote en masse against Bill 78, which would have created a province-wide, provincially administered property tax deferral system for low-income seniors and low-income disabled persons. For many of us, the most significant investment we will ever make is the purchase of a home. However, every year across this province, ever-increasing property assessment and tax rates threaten that investment.

Seniors want to stay in their homes. They want financial independence. The McGuinty government, however, wants to rob them of their dignity. As demonstrated by last week's vote, Dalton McGuinty's Liberals believe it is quite acceptable to continue with a patchwork quilt of ineffective municipal property tax deferral programs.

What's the real McGuinty Liberal message to Ontario's elderly population this month? "Happy Seniors' Month. Thanks for nothing."

#### TOURISM WEEK

**Mr. Ted Arnott:** We in the PC caucus were wondering when the Minister of Tourism would finally get around to doing a ministry statement in the House, this being National Tourism Week, for we on this side of the House understand the extraordinary challenges the



industry is facing, in part because of this government's neglect. That's why John Tory announced his plan to eliminate the retail sales tax on accommodations and attractions this summer.

This would actually do something tangible and immediate for Ontario's tourism. At the same time, it would help attract American visitors back to Ontario and would give our own families a tax break, and allow them to keep more of their own hard-earned money and enjoy their holidays here in Ontario.

In a knee-jerk response, the Minister of Tourism dismissed our idea as a band-aid solution, which shows how out of touch he is. In contrast, listen to how the industry responded. Troy Young, executive director of Attractions Ontario, had this to say: "Anything that can be done to get people moving and enjoying our province's great attractions is a good thing for the industry."

Michael Von Teichman, from the Walper Terrace Hotel in Kitchener, said this: "As we enter into a summer of economic uncertainty, rising fuel costs and a strong Canadian dollar, I believe that removing the RST from hotels and attractions over the summer months will make a big difference to the tourism industry in Ontario. These are the kind of initiatives governments should be taking to support businesses and communities throughout the province."

Now we know that the member for Vaughan, the former Minister of Finance and the chair of the Liberal Party's 2003 and 2007 election campaigns, has been assigned the task of doing an \$8-million tourism competitiveness study. As the PC critic for tourism, I sincerely hope that this study makes a difference. But we need action now, not two years from now, as the study's time frame was initially indicated in this year's provincial budget. Today, we learn that they're speeding it up to release the final report early next year. But I submit that this study could and should have been completed within 90 days.

We still have not seen a line-by-line accounting of how these \$8 million will be spent. What are they trying to hide? Is it Mr. Sorbara's expenses while he travels the province and even around the world, purportedly claiming to look for best practices while enjoying a farewell tour on the taxpayer's dime? Is it that they plan to reward key Liberal campaign—

**The Speaker (Hon. Steve Peters):** Thank you. The time has expired.

## SENIORS' MONTH

### MOIS DES PERSONNES ÂGÉES

**M<sup>me</sup> France Gélinas:** On behalf of New Democrats, I'm really pleased to rise to recognize this month, the month of June, as Seniors' Month. I'm happy to have this opportunity to honour the contribution made by Ontario seniors in building this province in all aspects: economically, socially, culturally and creatively. Indeed, we are indebted to the energy, the commitment and, yes, the

sacrifices of those who have given so much in order for us to explore today's possibilities.

The theme for this year's Seniors' Month is "Discover the Possibilities." This is a theme that attempts to encourage seniors to live life to its fullest. It is incumbent upon us to help seniors realize that goal. There are key actions this government can take to ensure that our seniors age with dignity and respect.

For seniors to live in their own homes, we must ensure that we have a robust not-for-profit home care system that provides a higher standard of care delivered by the right providers.

Il me fait plaisir de me lever aujourd'hui pour reconnaître le mois de juin comme Mois des personnes âgées. Il me fait extrêmement plaisir d'honorer la contribution des personnes âgées de l'Ontario dans le développement de tous les aspects de notre province. On parle ici du développement économique, de développement social, culturel et créatif. Nous leur devons beaucoup d'avoir investi leur énergie et leurs sacrifices pour nous. Pour leur donner toutes ces possibilités, le thème du mois de juin et des personnes âgées de cette année est, découvrez les possibilités, un thème qui encourage les personnes âgées à vivre leur vie au maximum. Nous leur devons également, chacun de nous, la responsabilité de les aider à atteindre cet objectif.

Il y a, bien entendu, des actions concrètes que le gouvernement peut faire pour les aider à atteindre cet objectif, et pour aider nos personnes âgées à vieillir avec le respect et la dignité qu'on leur doit. Pour les personnes âgées qui désirent vivre à la maison, nous avons besoin d'un système de soins à domicile robuste, à but non-lucratif et qui offre un service de grande qualité.

As well, we must ensure that seniors aren't forced out of their homes by skyrocketing property taxes. We should implement a freeze-until-sale model, as the NDP has advocated, which would freeze the asset value of their home at its purchase price for as long as they own their home. Also, the Assessment Act should be changed to protect low-income seniors who live in granny flats.

I also hope the government listens to seniors who have concerns about the possible limitations to accessing blister packs for their medication. We're receiving a lot of e-mails about that. These packs help many seniors to remain independent in their homes and manage their medication themselves.

For seniors in retirement homes, it would be great to see how the government plans to better regulate retirement homes. From January to March 2007, well over a year ago, the government held 13 consultations across the province regarding the regulation of retirement homes. Unfortunately, we have seen no movement from the government on this front.

I know seniors are asking for improvements.

Finally, seniors in long-term-care homes deserve a minimum daily standard of 3.5 hours of hands-on care.

As important as this month is, we know that a mere month is not enough to express admiration for the value of our seniors. We must show our commitment through



action all year long. New Democrats call on the government to itself discover the possibility of going beyond mere platitudes when it comes to our seniors, who have committed so much to developing this province and have much more to offer yet.

I want to finish by reiterating that New Democrats have always stood, and will always continue to stand, alongside those who worked to build this province and to be their advocates in fighting for the rights, equity, dignity and respect that they deserve. It is our hope that we can work together to do them justice for today and for future generations.

C'était intéressant de voir que le nouveau site Web, [www.seniorsinfo.ca](http://www.seniorsinfo.ca), est également disponible aux aînés francophones, mais seulement sous un nom en anglais. Si on est sérieux et qu'on veut que les aînés francophones y participent, il faudrait peut-être penser à le faire en français.

1540

### SHEELA BASRUR

**Hon. David Caplan:** On a point of order, Mr. Speaker: I believe we have unanimous consent for a member of each party to speak for up to five minutes regarding the passing of Dr. Sheela Basrur.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Hon. Dalton McGuinty:** Thank you for this opportunity. I want to take a moment on behalf of Ontarians to celebrate the life, honour the memory and pay tribute to the contribution of a truly remarkable woman, Dr. Sheela Basrur.

Au fil des ans, je me compte parmi les privilégiés qui ont eu l'occasion de travailler avec elle, mais par-dessus tout, j'ai toujours chéri notre amitié. Elle était l'une des femmes les plus fortes que j'ai eu le plaisir de rencontrer.

Over the years I have counted myself blessed to have had the opportunity to work with Sheela, but above all, I will always treasure our friendship. From time to time I would see Sheela in her capacity as our chief medical officer of health, and she was always so keen, so eager, so bursting with energy and enthusiasm. She wanted to tell me about the recent work she had done, and I'd always stop her and say, "Sheela, let's first talk about the important things. Tell me, how is your daughter doing?" And she would smile a smile that would light up this chamber.

I think we reveal ourselves in our unguarded moments, when we talk about those who are closest to us. Sheela always revealed herself to be such a warm, caring and loving mother and person. She brought all of that and then some to her responsibilities. She was also one of the strongest women I've ever had the privilege to meet. She exemplified sound leadership and always carried herself in a way that inspired confidence among the people around her. She was cool, calm, collected, informed, compassionate and reassuring. She met every challenge with the same no-nonsense, calm approach.

When you saw Sheela in action on TV or at a press conference, you knew she was committed to helping you. You knew you could count on her, and you could relax a little because you knew Sheela was on it. Whether it was guiding Toronto through the SARS outbreak, leading the revival of Ontario's public health, answering the call to public service or devoting herself to her family, and her daughter especially, Sheela was on it through everything she touched.

Je sais que son exemple servira de guide à tous ceux et celles qui lui succéderont. C'est sa passion pour le service public qui lui a permis d'avoir une influence aussi extraordinaire sur tous ceux et celles qui ont eu la chance de travailler avec elle et de la connaître.

I know that Sheela's example will guide each of those who come after her. It was her passion for public service that made such an extraordinary impact on all those privileged to have worked with her. Sheela was a true public servant. She believed, and profoundly understood, that the ultimate reward of public service is always to be found in the service itself.

Sheela made a deep impression first as Toronto's medical officer of health and then Ontario's. In the face of SARS and challenges we hadn't seen before, she raised the bar. And because of her poise and stamina, that position is forever elevated in the eyes of Ontarians. We have Sheela to thank for the new heights that public health has reached in Ontario and we will always be moved by all she has done and all that her memory will inspire in the future. So no matter what, even still, Sheela is on it. Her mark and her legacy are now part of the city and our province. She has shown us how to stand firm with grace and good humour, how to make tough calls with calm and how to give the best advice with courage, no matter what.

We are grateful for Sheela's example of devotion to public service, love of family and the warmth of her friendship. She leaves behind a beautiful daughter, Simone, who I know will do well in whatever she pursues. She leaves behind a dear sister and proud parents. I want to take this opportunity to thank the family for the love and support they gave Sheela, and for sharing her with us. I want to assure them that Sheela will live on in the hearts of all those she touched, guided, inspired and cared for. Dr. Sheela Basrur, our Sheela, has made Ontario a better place. We will miss her, but we will never forget her.

**Mrs. Elizabeth Witmer:** I'm pleased to rise today on behalf of John Tory, the leader of the Progressive Conservative caucus, and the members of my caucus to pay tribute to, and celebrate the life of, Dr. Sheela Basrur. Like all of you, it was with great sadness that we learned of her passing.

I had seen her most recently at what would be one of her final public appearances, the April Registered Nurses' Association of Ontario meeting, where she was recognized with a standing ovation for her outstanding public and personal achievements by a most adoring and



appreciative nursing audience. It was obvious that she was a most beloved public servant.

She was there with her daughter, Simone, her parents, her sister and other family members at her side. She was still, that evening, determined to beat her cancer. She was, as always, to all of us, an inspiring example of courage and good humour in the face of her illness. But that night also she was a proud mother and daughter. She was someone who showed us that evening how deeply she cared for her family.

I first had the privilege of meeting Sheela when I was Minister of Health and she was serving as the medical officer of health for the city of Toronto. I soon learned she was one of the most sincere, hard-working, energetic and dedicated health professionals that I have ever had the privilege to meet. She was truly passionate about public health.

She was dedicated to the cause of health promotion. I was pleased to be involved with her when we introduced our anti-tobacco strategy and heart health program.

One characteristic that always impressed me about Sheela, and my staff noticed it too, was that when she decided to undertake a task and focus on that task, she had the ability to motivate and inspire everyone around her. In fact, the entire community came on board to work with her to get the job done.

She was able, during her time, to recruit and retain many qualified and talented health professionals. Her consensus building, her commitment and her passion for public health in Ontario were exemplary. During an impressive career that saw her do all she could to safeguard public health, her efforts in so many fields saved many lives. Foremost was her work on tobacco control, which included the groundbreaking smoke-free Ontario legislation in 2006.

However, one of Sheela's greatest accomplishments and achievements, for which the public will always remember her, was her strong performance during the 2003 SARS crisis. She earned the trust, respect and admiration of all Ontarians for the extraordinary leadership and quiet confidence she exhibited during this challenging time. She was the calm, reassuring voice of reason. Her grace in the face of tremendous pressure will never be forgotten, as each day she calmed the public fears with her briefings. It was her tireless efforts during the SARS crisis that led her to the position of Ontario's chief medical officer of health in 2004.

1550

Throughout her career, she inspired all those who worked with her. Her colleagues have told me that she was a remarkable mentor and a role model for young women entering the field of public health. And lo and behold, today, when I was reading the *Globe and Mail*, there was a letter to the editor from a young woman, Liane MacDonald of Toronto, who had not met Sheela but had written to her, and she says, "Today, I'm in the midst of my training in community medicine, thanks in no small part to having an extraordinary role model in Dr. Basrur."

Her colleagues say she commanded respect and got the job done. She had a sharp intellect, was cool under fire, and was an extremely compassionate and gifted communicator. Although her loss is enormous, her inspiring leadership and her commitment and enthusiasm for public health live on in her many achievements. She is a public servant who truly earned the respect and gratitude of all Ontarians.

In recent months, she also earned the respect of, and served as an inspiration to, those whose lives have been touched with cancer as she shared her personal experiences. Sheela leaves behind a legacy. She was, and is, a remarkable, honest and courageous woman, daughter and mother.

On behalf of John Tory and our caucus, I want to extend our deepest and sincere sympathy to her daughter, Simone, and her parents, her sister, her family and her friends. Our thoughts and our prayers are with all of them at this time.

**Mr. Michael Prue:** It is my honour and my privilege to say a few words about Sheela today. People in the public knew her as a courageous doctor, mostly around the SARS crisis. Politicians, including all of us, and the press knew her as a champion of public health. We knew her for her many, many accomplishments. We knew her for the smoking bans in restaurants and in public spaces. We knew her as being a leader in the banning of pesticides and in the DineSafe legislation in Toronto, which was the first in Canada. We knew her for her discussions of childhood obesity and for Smoke-Free Ontario.

But I was one who knew her, I think, much better than that. I've known her for 20 years. I knew her as a friend and as a colleague. I remember our first introduction. That day I was a rookie councillor in the borough of East York, in my first stint on the board of health, and she was introduced as the new associate medical officer of health who was brought in for her first stint, her first public job. She had finished university and come to work in the board of health.

I looked at her and you can imagine how young she looked 20 years ago, and even what she looked like until the time of her death. I remember seeing her, and although she was at that time probably in her very early 30s, she looked to me to be not much more than a teenager, a very slight, small woman, but a woman of intense and immense promise.

She was introduced and all of us went to work with her. Right away, at that first meeting, we voted for her to be the associate medical officer of health, not because we knew her but upon the advice of the medical officer of health. It was over a length of time that passed that we got to know her so much more.

We first worked with her on the first ban of smoking in restaurants, which took place in East York. Other cities were doing that too, but Sheela was that gifted and that smart that she was able to look at the smoking bans that were surrounding us in other places like Toronto and North York and advise the board of health and the council not to do it that way. In fact, as theirs were struck



down in the courts, ours continued and was extant throughout the entire period. She was that good and that intelligent, even in terms of the law, that she knew where to go.

In 1990 she gave birth to a daughter, and of course you can imagine that around the borough of East York the medical officer of health was there and was very much pregnant. She continued in her job. She went away to give birth to Simone and came back very quickly thereafter. It was amazing over the years, as a councillor and as mayor, not only to see Sheela constantly, but to see Simone grow up before my very eyes, to watch her inside the borough of East York office, running up and down the halls as children are wont to do, or obeying her mother, which children are often not wont to do. Sheela had very firm and very careful control of her daughter, and her daughter was very much attached, even in those young times.

Sheela went on to be confirmed as the medical officer of health for the borough of East York and she did wonderful things. We became a teaching health unit, which was a real coup for the smallest municipality in what was then Metropolitan Toronto. She came out with a pesticide ban, and we were all very proud of the dandelions that grew on our front lawn; they were Sheela's dandelions, because she convinced us that they too were beautiful.

She was at innumerable public meetings at night. She would always leave as soon as we were finished to go home to her family, but she was there offering sage and wise counsel to politicians who were often reluctant to take it, whether it be the banning of pesticides or smoking in restaurants, because we had constituents who didn't want to go there.

After amalgamation, she was chosen as the medical officer of health for the new city of Toronto, and I was proud to be there as well. We had many candidates that we interviewed but she was clearly the best, and by unanimous consent of the city of Toronto, she became our new medical officer of health. I can remember all of the fights, all of the conflicts that she had with some members who just didn't see it right. But she persevered when people wanted to allow smoking in restaurants and various rooms with smoke eaters, convincing all of us that that wasn't the way to go. I remember her passionate arguments about the restaurant guides which we now see in every restaurant in Toronto: the green, the yellow and the red. You don't want to eat in the red ones. She told us, "Don't eat in the red ones," and it was very good advice from her as well. Today we take all of those things for granted. They were her initiatives.

She also, as the medical officer of health, did something that I never saw any other public employee able to accomplish in the new megacity of Toronto: In every single budget, from the time of amalgamation until she left, there were increases for the board of health and for public health initiatives. You couldn't say that in works, in parks and recreation and in all the myriad other duties,

but in public health she was able to convince our council and the mayor to go that route.

Of course, she's best known for SARS, and we still think of her, as one child described her, as the SARS lady. She was seen around the world and gained great prominence.

She won innumerable awards. We all know about most of them—the Amethyst Award, the Order of Ontario, the honorary doctorates—but the people of East York had one last award to give. There was a reunion on April 5 of this year. We found some little statues that we gave out to East York's finest called the Bulldog Award. Three of these were found after amalgamation and we kept them for 10 years and wondered who to give them to. We had a large contest for the East Yorker who had made the greatest contribution to our community in those 10 years since amalgamation. One of those recipients was Sheela. We sent the Bulldog to her in the hospital through the former commissioner of parks and recreation of the borough of East York, and we note that she received it in the same way and with the same gratitude as she received what some might have considered more prestigious awards.

We recognize her for everything she was to us. In her obituary in the paper in the last couple of days there are words that say she "died as she had lived: with honesty and courage," and I think that's true. We send our heartfelt sympathies to Simone, to Sheela's parents, to her sister, to her family and to all of those who loved her.

Sheela loved words and she loved poetry, so I'd like, with your permission, Mr. Speaker, to quote a couple of lines from the Rubaiyat of Omar Khayyam, which I know she appreciated. It reads as follows:

For some we loved, the loveliest and the best  
That from his Vintage rolling Time hath prest,  
Have drunk their Cup a Round or two before,  
And one by one crept silently to rest.

Godspeed, Sheela. We will miss you and we will forever remember how you changed our lives. Thank you.

1600

**The Speaker (Hon. Steve Peters):** I'd ask the members to please rise and join me in a moment of silence in tribute to the life and the career of Dr. Sheela Basrur.

*The House observed a moment's silence.*

**The Speaker (Hon. Steve Peters):** Thank you. I will see that copies of the Hansard of all three deliveries are sent to the family in tribute to her career.

## ORDERS OF THE DAY

### SELECT COMMITTEE ON ELECTIONS

**Hon. David Caplan:** I move that a Select Committee on Elections be appointed to consider the current



effectiveness of the Election Act, the Election Finances Act and the Representation Act in the preparation, administration and delivery of elections in Ontario, and to report to the House its opinions, observations and recommendations concerning amendments to these acts; and

That the committee may present or, if the House is not sitting, may release by depositing with the Clerk of the House, interim reports; and

That the committee shall present or, if the House is not sitting, shall release by depositing with the Clerk of the House, its final report to the assembly no later than the last day of the spring session of 2009; and

That the committee have authority to meet at the call of the Chair; to call for persons, papers and things; to employ counsel and staff; and, as the committee deems relevant to its terms of reference, to commission reports and adjourn from place to place; and

That in the event of, and notwithstanding, any prorogation of the House before the presentation of the committee's final report, the committee shall be deemed to be continued to the subsequent session or sessions and may continue to meet during any such prorogation; and

That the committee may examine any other matter it deems relevant to its terms of reference; and

That the committee shall be composed of two government members, one member of the official opposition, and one member of the third party. It shall be chaired by a member of the government. The membership of the committee, including the identification of the Chair, shall be filed with the Clerk of the Assembly by the whips of the recognized parties no later than Thursday June 26, 2008.

**The Speaker (Hon. Steve Peters):** Mr. Caplan has moved government notice of motion number 84. Debate?

**Mr. David Zimmer:** I'm just going to speak for a few minutes, but I think, just to lay the groundwork, that about the best thing I can do in this debate is read into the record a letter from the Office of the Chief Electoral Officer of Ontario, John Hollins. It's dated June 4, 2008, and it's addressed to Premier McGuinty.

"Dear Premier:

"The Election Act, the Election Finances Act and the Representation Act, 2005, define how provincial elections work. The existing statutes, which have been amended in an incremental manner over the last 30 years, need to be comprehensively reviewed. The electors of Ontario need to be served by a coordinated and modern legislation, with consistent language, that upholds the principles of access, integrity, and modern electoral management.

"I am therefore writing to the leaders of all parties represented in the House, following the 2007 general election, to highlight some of the changes that I recommend as necessary for the future administration of elections in Ontario.

"Outdated and overly prescriptive legislative requirements governing how people obtain and cast their ballots

are a cause of frustration for electors and poll officials alike.

"Voter turnout continues to grow at advance polls. Electors would be best served by provisions that would allow for greater flexibility in opening advance polls at more convenient times and places.

"Ontarians can vote in federal elections using a special ballot but they do not have this opportunity in provincial elections. Such a measure would ensure greater accessibility for all electors.

"Now is the time to review, design and implement a staffing model and voting process that better serves electors—whether they are in isolated northern communities or major urban centres.

"These are" but "three examples of improvements that require legislative change.

"I encourage the establishment of a committee to review Ontario's election laws with a view to modernizing the administration of elections.

"I thank all of you for your consideration of these recommendations."

It's signed John Hollins, Chief Electoral Officer, Ontario.

That last sentence, "Now is the time to review, design and implement a staffing model ... that better serves electors": These are but three of the examples of improvement that require legislative change. I encourage the establishment of the committee to review this.

That's exactly what the notice of motion that is before us today deals with. It sets up a committee. The committee, as you've heard, will be composed of four members: two government members, a member from the official opposition and a member from the third party. The committee will be charged with the responsibility of delivering its report in June 2009, and the terms of reference are set out in the motion.

I've been through two elections now, 2003 and 2007. Many of my colleagues here have been through elections for the last 30 years. With the experience of two elections under my belt in a busy urban riding, I have seen, as a newcomer, just in my mind, things that I think should be addressed, should be changed and should be fine-tuned so that the electors, if you will, enjoy the process of getting out to vote, are encouraged by the process of getting out to vote and can be assured that their votes that are cast are going to be quickly and accurately counted, that the voters lists are accurately maintained and that we take advantage of all the advances in technology, management and other tools that are available to us in the year 2008 that perhaps weren't available in 1969, which was the last time the Election Act was looked at.

So on the advice of the Chief Electoral Officer, this motion has been brought before us. I understand, without presuming the intent of this chamber, that my colleagues in the other parties are also looking forward to this process of reviewing, updating, refining, finding best practices and so on. For those reasons I urge all of my colleagues in this chamber to support this motion.



**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Norman W. Sterling:** I think we have agreed there are no questions and comments with regard to the remarks this afternoon. I will be somewhat brief.

I want to say, and I hesitated ever saying, that I think that this is a proper and correct step to take with regard to refining or changing our laws with regard to elections. I'm talking about the composition of the committee and the procedure we are going to go through in order to do this. I think it's proper that the committee not be dominated, as all other committees in our Legislature at the present are, by the government members. This committee will have four members, and it will have an equal number of opposition members and government members.

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I look forward to working with this committee, perhaps as the nominee for the opposition party on the committee. What I think should take place here is a meeting of the minds of the various different parties as to the terms of reference of this particular committee. I know the member for Willowdale has pointed out the letter that the Chief Electoral Officer, Mr. John Hollins, who is retiring and leaving that position, has written to the Premier on June 4. He sent a copy of that letter to the opposition leader as well—and, I think, correctly.

You know that we had some changes to our election laws not long ago, two or three years ago, and we have now experienced an election under those new rules. I believe that new experiences were gained in the 2007 election as a result of those changes in those laws. Some of those changes that occurred, in the opinion of those of us in the Legislature, were good, and some we didn't think were so good. We'll have an opportunity to review those particular rules as we go forward.

One of the things that I think this committee should do is that we should, first of all, offer each and every member of this Legislative Assembly the opportunity to come in front of the committee and relate to the committee their personal experiences around different subject matters. Whether it's advance polls, whether it's the production of identification in order to get your ballot, whether it's the location of the polls, whether we should be having the election on a weekday or on the weekend, as the returning officer for my particular area, Carleton-Mississippi Mills, held out—he thinks, and I think it's a good suggestion, that we should talk about whether we should have the election on a Saturday, rather than on a weekday. This is particularly important, as pointed out by him, because we have so many polls now in schools, and there's a danger to the schoolchildren as cars pull in and out of those schools. There's great concern by the school officials, the principals, that some of these children might be hurt. It also would allow, I think, many more people to participate in the election on Saturday, as most people in our society, at the present time, do not work on those dates, although there are some who do.

I think suggestions like that by individual members of the Legislature in the right context would give good

direction to the committee, going forward, as to how we might run better elections and offer more people the opportunity to vote.

I do want to say one caution here. It's been my experience, having had a long time in this Legislature—I think the member from Willowdale said that many of his colleagues have been here for 30 years, and I just want to straighten out that there are only two of us who have been here for 30 years: the member for St. Catharines and me. I don't want to share that with everybody. But in reading literature about elections and how elections are performed, not only in this jurisdiction but in other jurisdictions, I guess I would tread carefully when going to new mechanisms—and I don't like the word “modernization” of our electoral process. I look at the historical context of this and, over time, we have learned a lot about the election process and election days. I know in some states in the United States where they've gone to voting machines, they are now going back to paper ballots because of the ability of—

**Mr. Michael Prue:** They ended up with George Bush.

**Mr. Norman W. Sterling:** Well, they ended up, in some cases, with what some people thought was an inconclusive result and it was impossible for them—I'm trying to keep this non-partisan, Mr. Speaker. I do hope the member from York East won't be a member of the committee because he's already expressed some political bias in this debate.

**Mr. Michael Prue:** No, no.

**Mr. Norman W. Sterling:** I'm kidding him, of course.

I look at this a little bit like the development of our laws in the common law system, where we sort of developed an area of law over a long period of time, and we should not be ready to abandon quickly what has worked in the past. We should think clearly about the fact that a lot of people in our society, a lot of our elderly people, are still not familiar with the computer age, and that their understanding of the process is as important as “modernizing the process.” But we will be discussing all of that as we go forward.

The motion clearly gives the committee the ability to have a wide scope of interpretation as to what they may look into or not look into. But in the final analysis, if the committee does not get along and come to almost a unanimous decision with regard to where they're going, it will be very unlikely that we will see legislation that will change things in here. If we have people trying to stretch the mandate of the committee too far, or if we get ourselves involved in issues where there is great reluctance on the part of one of the political parties, it's unlikely that legislation will change so that that will be accommodated. I think that the members of the committee must work together jointly to try to find common ground to improve the process that we have.

I look forward as well to talking not only to members of the Legislature but talking, if I am a member of the committee, to the chief financial officers of campaigns, to people who are actually on the ground and volunteer-



ing to work on the campaigns that we have at the provincial level.

We have seen some innovation across our country, and I look forward to talking with some of those people in the other jurisdictions of our country in order to determine and take the best that they have experienced from their elections as well.

I think this is a good first step towards reform. I look forward, if I should be appointed to the committee, to working with other members to find common ground, but the bottom line of our position and my position might be or would be that it's got to be there for the elector. We want to encourage more people to get involved in the election. We want to have a more open process. We would like to offer more opportunities for people to be able to vote, but we are also insistent that there be integrity in the elections as well.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Michael Prue:** A bit of a difficult bill here, or a difficult motion. We've only been apprised of it for the last day or two in order to start to prepare to think what we may want to do. Although New Democrats welcome the opportunity to study the Elections Act, the finance act and everything that goes around elections in Ontario, we think the bill may be somewhat circumscribed. It may be too narrow in its scope. But I am given some hope in reading the last paragraph or two, saying that the committee itself has the authority to expand the scope. I trust that is the intent of this particular motion, because if we are simply going to look at the rules and procedures of election day and a couple of other minor things, the all-party committee may be somewhat overblown. But if we're going to start looking at what is really the problem or the potential problem here in Ontario, then I think we have to look at a great many other things.

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The first one I want to talk about is election financing. Ontario is lagging behind the other provinces in terms of election financing and is certainly lagging behind the Canadian experience. The government of Canada in its wisdom some number of years ago set about a radical change to election finances in Canada. By and large, I would suggest, they have done a very good job in taking away the influence of big money and corporations and big unions from the democratic process. I'm going to deal with that a little bit more in just a minute. Other provinces have come on board and have done similar things. The governments of Manitoba and Quebec have passed similar legislation to allow ordinary citizenry to shape the way in which their governments operate, to ensure that election finances are the property of the people and not of the moneyed interests, are the property of ordinary citizens and not the property of wealthy corporations or wealthy unions who are able to influence unduly the final outcome.

It seems to me that they have taken this major step with very few deleterious effects—very few whatsoever. I am unaware of a single negative comment emanating

from either of those provinces or from the people who live in those provinces that those rules have done anything except help the democratic process. I think this committee has an obligation to look in that same direction. Can we change the Election Finances Act to actually make for fairer, better and more democratic elections in Ontario? I think we can, and I hope this is included once the committee is structured and has its first couple of meetings.

Second is the whole idea around corporations and their influence in Ontario. We know what the influence was in Canada prior to the changes to their election finances act federally. We know that they were untoward in terms of where the monies came from. I only have to look back to the last election here in Ontario to see exactly where the money was flowing from—excuse me, not the last election, but the one before that. I don't have all of the details from the last one; it's too new.

We know that money from corporations and unions made up 40% of all contributions flowing into the three major political parties. That's where the money came from. So 60% came from ordinary citizens, but 40% came from a very select group of people who had the money and, through their money, were able to influence the democratic process.

We also know that in particular for the two larger or older parties, those being the Liberals and Conservatives, that was even more elevated. Liberals took in some 45% of their funding from corporate interests and the Progressive Conservatives took in over half from corporate interests. Now some may say, "What difference does this make?" Some may wonder, "Who cares whether the CEOs of the Bank of Montreal and General Motors and all these other large corporations are handing out money to political parties? It's harmless. It's safe. It's okay."

I only have to give one very famous quote about corporate donors. This was a fundraiser/developer by the name of Silvio DeGasperi. I think some of the Liberals may know him kind of well. He went to a \$10,000-a-plate Liberal fundraiser and he was asked by the press why he had attended. Why was he there? Why was he giving \$10,000? His answer was very blunt. He said, "I wanted to speak to Dalton about my development issue in Pickering. I knew the reason I was there." So for \$10,000 in a fundraiser, you can get the ear of the Premier of Ontario.

I don't say that the Liberals spent the money in any way untoward other than to buy television advertising or whatever else they wanted with the money, which is allowed under the law, but it's very clear how the money was obtained.

We believe, in the New Democratic Party, that the time has come to do away with both corporate and—I underline the "and"—union donations. We think it's time that ordinary citizens funded the political parties, ordinary citizens with small amounts of money, limited to \$1,000 or less if we can do that. Fund the political party so that the level of interference, the level of expectation is reduced, so that politicians are not beholden to people



who pay \$10,000 to have dinner with the Premier or a cabinet minister or a member of the opposition. Certainly, that is an idea whose time has come.

We also think it's fair for a second reason. That is because if you are a member, a shareholder or a controller of a large corporation or a union, you often are able to make two donations—one through your corporation or your union, and a second one individually. We know from looking at a lot of the records, going back in the periods prior to the last election, that is precisely what has happened in Ontario. We have seen people make a large donation from their particular organization, then we have seen those selfsame people and members of the executive or members of the boards of directors make a comparable donation. So not only can you make one through your body, but you can make a second one individually, the body having paid you to make that donation. We think it's a loophole, a lacuna in the law that needs to be closed. We hope the committee will talk about this, because the election finances are probably the chief thing that needs to be talked about.

We know from examples, public financing, what those examples are. Just to be absolutely clear, federally, each party receives 50% of the expenses incurred if it obtains 2% of the valid votes overall or 5% of valid votes in electoral districts where it ran a candidate. So it's a fairly low margin, and you start to get money back. So even though the same amounts of money cannot be collected because corporations and unions may be shut out, the federal government reimburses candidates who are serious candidates in the electoral process to make sure that the system can function.

In Quebec, they do something similar. In Quebec, if a party receives 1% of the votes, the party receives 50% of incurred expenses, to a maximum of 60 cents per elector, for all electoral divisions in which it ran candidates. This would be very beneficial, I think, to some small parties in Ontario, but it also is extremely and eminently fair. It has a fairly low threshold in the province of Quebec.

In Manitoba, if a party receives 10% of the valid votes, it receives the lesser of 50% of the expenses limit and 50% of the actual expenses. So they're a little bit less generous, but still, there is something in place that allows this to happen.

Last, but not least, in Saskatchewan, if a party obtains 15% of the valid votes, it receives 50% of incurred expenses for all electoral divisions in which it ran candidates.

As I said, contrast this with Ontario, where it is pretty much a free-for-all. You can raise enormous amounts of money, \$7,500 per corporation. You can raise monies from unions, you can raise monies—and you can expect those same people to have some control in the future electoral process. Even though politicians by and large will deny it, and even though, by and large, I trust them all to be honourable members and not to seek that kind of influence, the influence is nonetheless expected.

The second issue I want to deal with is real-time disclosure. Right now, we have a law in the province of

Ontario that mandates that within 10 days of a party receiving money over \$100 and depositing the money, the information must be on Election Ontario's website of the contribution being reported. But here again, there is a huge lacuna in the law. Of course, if the money is received centrally within 10 days, there is an expectation that that will show up on the books within 10 days. But parties get around this in the province of Ontario, and they ought not to be allowed to do so, simply by having people donate money to the local riding association. The local riding association, in turn, delivers the money to the central office if they are wont to do so. That does not have to be, and is not, reported within 10 days.

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So it is very eminently possible for a person to hold a fundraiser in the province of Ontario to collect huge amounts of money and have that not reported on the government website. It's not reported because it is done through the local riding association, and the local riding association only has to report that once a year. I would suggest that if monies are collected, it makes no difference to the taxpayers and no difference to the fairness of how this happens whether it is done centrally or in the riding association.

We have the technology available that that can be put online in a matter of days, whether it is taken locally or centrally. It ought to be part of the law. I am hoping that, when the committee meets, this is discussed.

Thirdly, we believe the rules enabling citizens' assemblies and citizen juries have to be changed. We just went through a process in the province of Ontario, the first one in many years. I want to take my hat off to all the citizens who volunteered, who were part of the citizens' committee. They came literally from every single riding in this province, all 107 of them plus a chair. They came together in order to discuss ways to change the way we vote for politicians in Ontario.

Their ultimate recommendation was not successful. It passed in only five of the ridings out of the 107 and was refused in the others. That does not, for even a moment, take away what their accomplishments were: the many hours, the many weeks, the many months that they sat there, studying the proposals to try to come up with a better system than the one we have here now. But, ultimately, the whole exercise was bound to fail. It was bound to fail because this Legislature set a goal that was impossible for any realistic change to actually accede. They put a goal that there had to be a vote of at least 60% in favour, and a second condition of a yes vote in more than 50% of the valid referendum ballots cast in 60% of the ridings, at least 64 electoral districts.

I am unaware of any place in this country, other than British Columbia in one vote, that put forward such a requirement. It was nearly impossible to meet. Fair Vote Canada put out a statement on this that I think needs to be read into the record, because they're absolutely right. I quote Fair Vote—actually, it was Fair Vote Ontario; excuse me.



"No government raises the bar for its own legislation, which often has far-reaching effect on the lives of Canadians.

"No politician has ever refused to accept a seat" in Parliament or a provincial Legislature "due to failure to win 60% of the votes. Many gladly take their seats, despite winning less than 50% or even less than 40% of the votes in their ridings.

"In fact, thanks to the current voting system, most 'majority' governments in Canada gain power without winning a majority of votes."

They are absolutely right. But when we set up a new experiment with citizens' juries, when we ask people to give of their expertise and their time—and, in the end, they are ultimately frustrated before the vote is even taken because of the impossibly high bar. If this committee is going to meet, I am asking this committee to also look at the impossibly high bar that was set by this Legislature prior to the last referendum. If we are serious about involving ordinary citizens and if we are serious in our desire to make democracy work, then we have to make democracy work in the only way it has ever been shown to truly work in this country, and that is to have a majority prevail. You cannot ask for a supermajority and a double supermajority to make change. If that is the case, then change would be nearly impossible to make. If we are to hold future referendums—and I would suggest the idea has some currency, and there may be others perhaps on different matters in the coming years—then we have to make it so that ordinary citizens can effect the change and they are not frustrated in the end by a 60% double majority rule.

I also think what happened in the last election was a bit of a shame. Notwithstanding the citizens' recommendation, it was very poorly conveyed to the electorate. I know that people were coming into my campaign office in the days leading up to the election asking what the referendum was all about. They didn't understand it. It wasn't explained. And trying to tell them the reality—that the citizens were recommending that there be two votes, one for the candidate of your choice and one for the party of your choice—seemed not to be well understood. It was a very simple concept, but the way it was conveyed by the Chief Electoral Officer—and I cast no aspersions on him—was highly technical and was very difficult for them to understand. If we are to put questions before the people of Ontario, we need to spend much more on the education process. We need to put it in much simpler terms and we need to make sure that the electorate, who ultimately vote, are informed.

Fourth, I want to talk about enumeration. This is an old bugaboo of mine. I will continue to say that we need to have a proper enumeration system in this province. Other provinces have a proper enumeration system. They pay people to go around to check the electoral rolls. We have a very sophisticated system through income tax, we have a very sophisticated system if a house or property is sold, but very often people are left out. The people who are left out most often are the young, if they change and

turn 18 years of age from the time of the last vote that preceded it. If they are new immigrants who have become Canadian citizens, they are unlikely to be on the electoral roll. That affects places like big cities, particularly Toronto, but certainly small towns and places all across Ontario, as we are a country and a province of immigrants. They tend to be left out. And last but not least, and perhaps most importantly, we have tenants who move from one building to another. The average tenancy is only about two and a half years—as a tenant in an apartment in Ontario—and then they move. So it is highly likely that the majority of tenants who were in a building are not in that same building four years later when the next Ontario election takes place. The majority of them are not there.

I would suggest we have an obligation to put down an enumeration process. It need not be as difficult as it was when I was much younger and was an enumerator for a couple of elections, where you literally went out door to door. It could be that you have a list and you simply read off the list and say, "This is who we had here the last time," if you don't find them, or, "Can you confirm that these are the same two voters?" You don't have to fill anything out but it still needs to be done.

I will tell you the difficulty of enumeration as it has personally affected me, as a politician of some 20 years. When I was first a candidate for this Legislature, in the by-election in 2001, I went down to register my name as a candidate for the New Democratic Party only to find to my chagrin that I was not on the voters list. I thought this was rather strange, since I had lived in the same house for some 25 years before that.

**Mr. Peter Kormos:** Hell, you were the mayor.

**Mr. Michael Prue:** I was the mayor, and there I was, but I wasn't on the voters list. So I had myself listed on the voters list. I thought this was very strange. I checked the income tax records, and of course I was up to date on my income tax, and they had conveyed that the box was ticked off. I wondered why I wasn't on the voters list. So I registered, and that was fine in that election. Then when I went back to vote in the next federal election, I found that my name was not on the voters list. So I went into the self-same office, although it was now federal and not provincial, and I had my name registered on the voters list. I had neither moved nor changed occupations. People still knew me as the mayor, they knew me as the local MPP, but I was not on the list. So I had myself registered again and I voted in that election. The next election, I went back to find out whether I was on the voters list and I was not on the voters list. I had to put my name down again on the voter's list, to live in the same house, to be the same person. And in this last election, for the last time, I had to go and put my name on the voters list again.

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**Mr. Jeff Leal:** You're kidding.

**Mr. Michael Prue:** No, and the reason was that somebody had taken the opportunity for fraud—you know, people are smart. One person had sent in a letter to



the post office that said that I had moved, in order to have my mail transferred and in order to take advantage of the banks. One person, once. That caused that kind of grief to an individual who has been in the same house and lived on the same street for 20-some years. That's because no enumeration took place.

If that could happen to me, think about ordinary citizens out there. Think about ordinary citizens and the difficulty they have not being on the voters list. Think about some of the older people who come into the campaign offices—you probably have all had them—on the days leading up to election day, and they're not on the voters list. You have to take them up there, they have to swear oaths and they have to take two pieces of identification. They get extremely frustrated. They go from polling station to polling station because they don't actually know which one they're supposed to go to because they didn't get a card either. It is extremely frustrating.

If you want to know why the numbers keep dropping off, I would swear that at least 1% to 2% of the drop-off in every election is people who are not on the list, who are frustrated getting on the list, and finally give up on election day after having gone from polling station to polling station and finding out (a) they don't have two pieces of identification; (b) somebody has already voted in their name, because the fraud is still possible; and (c) it's just that the stuff hasn't been done.

I think we need to look at this. Will it cost some money? Yeah, it will cost some money. But will it be fairer in the end? Will the tenants, will the young people, will the new citizens all be counted? Will people have the right to have their name on there and be able to see it, and not have it changed simply by someone sending a letter into the post office because they want to make you the subject of some kind of mail fraud? These are important things that we need to talk about, and we need to do it.

Some provinces, including, I think, Prince Edward Island, still do a 100% enumeration. If we don't want to go down that route, I still think the committee should talk about having an enumeration in places where there is a need and where they do not have a list that the Chief Electoral Officer in each of the locations thinks is good enough. We need to inform people and households where there does not appear to be a name on the list, to ensure that it has not been taken off inaccurately.

This committee is going to talk about a number of things. One of them is one of the key issues in legislative reform, and it's not really covered in the motion: that is, question period. I don't have to tell the members who are here, even the Liberal members, that moving question period to the morning has been an unqualified disaster. I have heard so many people in the Liberal Party outside of here who don't want—

**Hon. David Caplan:** Oh, come on. Name names.

**Mr. Michael Prue:** No, I'm not naming names. They come to me in confidence, and they say that this is not to their liking. They say it's not working.

**Hon. David Caplan:** Name names.

**Mr. Michael Prue:** Probably you, then, okay? I would think that the cabinet ministers have a reason to like this because it largely frees up their afternoons; that's what I think.

But I'm not sure that the ordinary backbenchers, some of whom have come to me and said, "It's not working"—I think we should talk about it, because I don't believe it is working. I don't believe it's democratic and I don't believe it's fair. Certainly the press is opposed to it, and the only expert who came before the committee to talk about this said that the idea was a really bad one. Governments are full of bad ideas, and this is one of them. I'd like to quote that expert because he said it very well. Graham White, in his letter, said it very well:

"I cannot imagine that any neutral observer could disagree that moving question period into the morning would very seriously detract from the strongest accountability mechanism available to the opposition. Particularly since majority government is the norm in Ontario, it is vitally important for the people's elected representatives to be able to hold the government to account for its policy and administration. To be sure, question period can, on occasion, descend into bickering, grandstanding and silliness, but it remains by far the most effective mechanism for fostering government accountability and, by extension, for keeping the people of Ontario aware of their government's successes and failures. It is most certainly the only legislative proceeding to which the media pays regular attention."

We believe that if we're going to sit down and talk, there has to be some meaningful discussion, not a government bent and determined on changing the rules of this Legislature because they have a majority to do so against the will of the combined opposition. Sure you have 70 members, but what you did was not right, and what you did is having repercussions against some of your own members.

**Hon. David Caplan:** Speaker, I don't believe him. I think he's making it up.

**Mr. Michael Prue:** You can believe anything you want, but if you don't believe the truth when it comes out of my mouth, what can I do?

We also think that another thing needs to be examined, and that is the committee structure and how it does or does not work within the Legislature. We have seen, unfortunately, under this government, a couple of committees be hamstrung on what the committees can and cannot hear, what they can and cannot consider and what they can and cannot vote upon. I think the most glaring example is that the Liberal majority is blocking consideration with the excuse that their House leader hasn't directed them to consider private members' bills. I know that my own colleague from Hamilton East-Stoney Creek's private member's bill—I believe it's Bill 6—was frustrated. It's not that his bill was turned down but that the Liberal majority refused to even hear it in committee, although it was properly before the committee. They voted—all of the Liberal members—not to hear it, with



the excuse that their government House leader had not granted them that permission.

With the greatest of respect, if we believe in the committee process in this House, if we believe that once the bill leaves this legislative floor and goes to committee that we have to allow the legislative committee the option to exercise their discretion and to consider the bill, the committee should be able to call witnesses. The committee should be able to hear deputations. The committee should be able to make amendments to bills, and then they should send them back to the Legislature.

I have no doubt that when it comes back for third reading, it would be the prerogative of the government House leader whether or not to call it. But to stop the process from even hearing deputants, to stop the process from making amendments, to stop bills that have been approved by this Legislature for committee I think is reprehensible. The government ought to just consider what is happening. If the government members on the committee—and they have a majority in, I believe, every case, so although they don't have the Chair of every committee, they do have a majority on every committee within this Legislature—don't want to vote for the bill, they can vote "no." If they want to vote "yes" and send it back to this House and the government House leader doesn't want it to go to third reading, it won't go to third reading. But we have an obligation to every single member of this House who has a private member's bill to allow it to proceed. That includes Liberal backbenchers who have some very good bills before the House.

**Mr. Peter Kormos:** Like David Zimmer, his regulation of tow trucks.

**Mr. Michael Prue:** David Zimmer's regulation of tow trucks is probably a fine example. I know that the other day, there was a bill put forward by the member from Brampton Centre, I believe, on fire sprinklers. It received the unanimous approval of this House. I do not want to see it stymied in committee and the committee not be allowed to hear it, the committee not be allowed to have deputants or make recommendations to the House. If it comes back to the House after the committee is finished and the government House leader doesn't want to deal with it, that's a matter for the Liberal caucus, but it is not, I would suggest, a matter of shutting it down in committee simply because the government House leader doesn't want it to proceed. I don't know what authority the government House leader has in the committee of which he is not a member. Perhaps the backbenchers should be asking themselves that and perhaps we should be dealing with this in the all-party committee.

A few other things, before I run out of time here, in terms of what other provinces do and what we need to look at. I have something here entitled the Addition of Votes, and it shows the deposits required of candidates in all of the provinces, and federally, in order to run. Members will know that the courts in Ontario have struck down the provision that candidates who receive less than 10% of the vote can't get their deposit back. You know that that has been deemed unconstitutional and unfair to

people who run for smaller parties. Recently, all of the candidates—not from this past election but the one before that—were ordered to get their refund of \$200 back. I know that many candidates who were not successful, who did not get 10% of the vote, have in fact applied—it may have been 15% in those days—to get their money back. But Ontario, on its books, still requires a \$200 deposit.

**1650**

I am not convinced that we ought to be requiring that deposit, in view of the fact that it now universally must be returned, notwithstanding people's failure to get 15% of the vote. So I think the committee needs to look at that. We are one of the only provinces that has stuck with that. Other provinces do charge various amounts of money, anywhere from \$100 to \$200 to \$300, but the provision is now illegal in terms of keeping the money, as the province has done in the past. I would hope that the committee, in its wisdom, looks at that and does not confine itself to the narrow basis set out in the first couple of paragraphs of the motion.

There are other things that need to be looked at as well, and that is the whole issue of polling divisions, polling stations and polling day. Each province sets up a separate electoral period, Ontario's being 28. I believe 28 is, in fact, the absolute minimum. Some have polling days that have a minimum of 26 to a maximum of 32, but in Ontario it must be 28 days. It's set in statute; it's four weeks. I don't know why we have done that in the past. Maybe we need to look at that.

In any event, what is somewhat disturbing is Ontario's fixed date of the first Thursday in October, because the very first time that we ever set that fixed date, it fell into a religious holiday and had to be changed. So we certainly have no history. If there is a better mechanism of setting the date, then it should be set. If we are going to run into religious holidays, I would suggest that there are so many religions, and justifiably so, in Ontario, there are so many holidays from such disparate groups, that no matter how the date is set, this may happen. I would suggest that the all-party committee look at fixing a better date. If the first time it failed, obviously it's not set in stone, so let's look at fixing a better date.

Those are some of the things that I think need to be done. I am asking that when the all-party committee is struck, it not be limited to the couple of small items that are set out at the start of the preamble to this motion, but that it be allowed to completely explore all aspects of the election process, including financing, voting procedures, enumeration and everything else that I've touched upon today. If the committee is able to do that, then I believe it will serve a worthwhile purpose. If it is merely set up to discuss the arcane and picayune details that it seems to be bent on looking at, it will do very little service to this House or to the people of Ontario.

I ask the members opposite, in setting up the committee, to allow the committee full rein to discuss that which needs to be discussed, and to have the committee report back in the appropriate term of ways that we can



make the electoral system in Ontario fairer than it is today.

**Mr. Peter Kormos:** I appreciate the opportunity to speak to this motion. I want to indicate that people should be very aware of what, in fact, they'll be voting for or against when this motion goes to a vote. There are a couple of things. One is that while the committee has its terms of reference provided for it in the motion, those terms of reference are meaningless because the committee has the power, by mere majority vote, to deem anything it wants to be relevant and then to include that, by the very process of deeming it to be relevant. In other words, it can turn an elephant into a lion; it can change blue to red; it can engage in all sorts of Orwellian exercises; it can make a fat person skinny, or a skinny person fat, just by saying so.

Let's make that very, very clear. The motion sets out terms of reference at the very onset: the "effectiveness of the Election Act, the Election Finances Act and the Representation Act in the preparation, administration and delivery of elections...." But the committee may examine any other matter it "deems relevant to its terms of reference...."

That means that its scope can be unlimited, literally unlimited. It has the power to look at standing orders. It has the power to look at the location of the Parliament. It can travel the world, looking for more attractive climates in which to build a Queen's Park building. It can do any of those things. Let's make that very, very clear.

The other issue is in terms of the final paragraph here. I was concerned about the language used in the final paragraph in terms of describing the makeup of the committee. The motion says, "That the committee shall be composed of two government members, one member of the official opposition"—that's the Conservative Party—"and one member of the third party"; that's the New Democratic Party.

As a matter of fact, the committee could recommend that we end this silliness of referring to New Democrats as "the third party" and simply say, "the other opposition party."

**Mr. Michael Prue:** The effective opposition party.

**Mr. Peter Kormos:** Mr. Prue notes.

I've sought the counsel of the Clerk's table, and I am reassured that the language—because it says, "two government members, one member of the official opposition, and one member of the third party," and then that a government member shall be the Chair of the committee. I was concerned that that meant there would be four members of the committee plus a Chair. I'm assured that that language means very clearly that there will be three members of the committee plus a Chair, the Chair has to be a member of the committee, and that the Chair will be one of the two government members.

I would find it very interesting to see this committee—should it be created, should this motion pass—internally decide on a process whereby they're going to arrive at any observations to be reported, or recommendations. Mr. Sterling, earlier this afternoon, made note of the fact

that this, like so many other select committees over the three decades that he's been here—I've been here for two thirds of his parliamentary career. I'm very pleased.

**Mr. Norman W. Sterling:** You're a youngster.

**Mr. Peter Kormos:** Sterling notes that he's older than I am. He refers to me as but a youngster.

I would think it might be very important for the committee to decide at the onset how it's going to reach conclusions. It would be interesting if the committee were to agree internally that there has to be unanimity about any report or any recommendation. That would, in my view, make its recommendations far more potent and far more likely to result in legislative response, if in fact it's a legislative response that's necessary.

New Democrats agree that in this province there is a regrettably low level of enthusiasm for electoral politics in terms of electors, in terms of people voting. When I first received notice of the government's intention to produce not this very motion but a motion very similar to it, the people in the office next to me could hear my eyes rolling, because I recalled how badly the government fouled up the proportional representation issue. Remember when there was a democratic reform ministry? Remember when there was an interest in democratic reform, including a purported interest in somehow making electoral politics more attractive to electors? Its test was, of course, the referendum, which most people either won't recall or have purposely wiped off their memory hard drives because it was such a horrible fiasco—a process that was flaw after flaw after flaw.

1700

I'll tell you this: Dollars to doughnuts, that MMP referendum did more to turn people off than it did to interest them in ever voting again. There will be a number of Ontarians who, because of that referendum, will never vote again because of the sloppy and incredibly and enthusiastically ineffective manner that it was pursued. Rotten garbage would be more palatable, in hindsight, than that referendum process was. The fact that the government allowed the question that was put to be put to electors with one of the less easily marketable PR schemes in and of itself destined not just the referendum to failure, but in fact appears almost to have been designed—you couldn't have worked harder, you couldn't have done better if you had tried to design a process that would put people in a position where they have no interest in electoral politics anymore, and that will result in a lower voter turnout than we already have.

It was an interesting day; it was exciting. I know Kim Craiton had a classroom of kids from his riding in Niagara Falls, and I had a group here of grade 5 students. Of course, grade 5 is the first year they study civics, politics, and next you get the big emphasis in grade 10. These kids were incredibly bright kids because they knew a whole lot about the politics of Ontario, political parties, their leaders, and the sorts of issues that are being dealt with here.

The other exciting thing, of course, was the attendance of one of our page's families during her service here as a



page. Ellen Tomaino—you know her, Speaker. She's one of the group of bright young women and men who serve as pages and who work hard. What I found is that these young pages end up learning more procedure in three and four weeks—

*Interjection.*

**Mr. Peter Kormos:** It's true, Mr. Prue. These young pages learn more about the standing orders and parliamentary process than some of the members of this chamber who have slept through years of sittings. And I don't have to name names, Mr. Caplan. Mr. Caplan? Ahem, Mr. Caplan? Sorry, I didn't want to bother him. We should perhaps keep it down a little, Speaker. We don't want to wake anybody up, do we? It's only 5 o'clock. No wonder they didn't want evening sittings anymore.

Ellen Tomaino brought her family here today, and she's a delightful young page from Welland. Her mother, Julie Tomaino, was here; her dad, Mike Tomaino, was here—a pharmacist over at Lewis and Krall pharmacy up in the north end; her sister, Heike, was here; her brother Jay and her brother Willi were here; her grandmother, Faith Tomaino from Port Colborne, was here—she used to be a Mione, from that family, a long-standing, important part of Port Colborne's history; Ellen's grandfather, Peter Tomaino, was here—the Tomaino family is from Calabria in Italy originally; her aunt Christine Walker was here; her cousin Matthew Walker was here; her cousin Sarah Walker was here; and her cousin David Petriw was here. This is a group of young people—Ellen Tomaino, the page's siblings and her cousins—who display a remarkably sophisticated knowledge of politics in the province and in the country, and of procedure and of this Parliament.

I just want to say I was very pleased to be able to join them for lunch and show them a little bit of a tour of Queen's Park and take them through the library. I'm grateful to the library staff. We lost a couple of the younger ones for a few moments in the stacks, but we found them. I'm delighted that three generations of this family were able to come here today, knowing full well of course that we're debating this motion this afternoon. I saw the writing on the wall, or on the palm, so to speak.

**The Deputy Speaker (Mr. Bruce Crozier):** Did you buy?

**Mr. Michael Prue:** Of course he did.

**Mr. Peter Kormos:** Mr. Prue notes one can't invite people to lunch and then stiff them with the bill. I'm too old for dine and dash. I'm just not fast enough anymore. Perhaps I'm too big for dine and dash.

But indeed we did talk at lunchtime about this motion being called this afternoon in the context of what sort of things make voting or participating in the electoral process more attractive.

I for one am not an advocate of making it easier to vote. I do not believe in things like Internet voting or telephone voting. Look, there's a whole lot of people in this world who don't have the right to vote, or when they do vote, it doesn't count for much. There are wars fought

and revolutions taking place and people dying for the right to vote, for the right to elect their representatives.

I think, yes, people should have to make a conscious decision to get up off their butt and get out there and vote. And for the same reason, I don't believe in making it illegal—I believe some jurisdictions like Australia have made it illegal—to not vote. If you force people to vote, will they simply vote for the first name on the ballot? Will they spoil the ballot? How meaningful is it?

Having said that, look, we live in pretty sophisticated times and we come from communities across Ontario where people have pretty high levels of education, but I've still got folks who on a Sunday afternoon, if they see me loading up the pickup truck, say, "Are you heading off to Ottawa, Peter?" It's true. Mr. Sterling knows it. Or they say, "Boy, give that turncoat Dion hell because he won't bring down the Harper government." I'm not in the federal Parliament, I'm in the provincial Legislature. I think I'm reasonably well known in my community, but people are incredibly busy. People are working two or three jobs, when they've got jobs. When you canvass during election time, at 7:30 in the morning folks aren't home and at 7:30 at night they're not home. People are working hard, taking kids to hockey practice and soccer—down where I come from, soccer's really big. We don't have cricket clubs where I come from. We've got a few folks down there who wish we did, after that million-dollar payout last year, but soccer's big down in Welland. Soccer, hockey—swimming is big. Folks are incredibly busy. Seniors are out at the seniors' centre. They're out volunteering. They're out with their grandkids or they're out working, because they can't afford to stay in their homes if they aren't working at McDonald's or Wal-Mart.

So when I say I don't think we should make it easier to vote, I'm not saying we shouldn't accommodate people. I think it's very important to have accessibility. I understand the letter that Mr. Hollins wrote. Good God, he was the electoral officer in charge of the last election, where some of the most boneheaded decisions you could ever imagine were being made. Like our apartment building down there in Thorold, the seniors' centre apartment building, which historically always had a voting area in it, only this year some bonehead decided to move it half-way across town. That was just plain dumb. You don't need legislation or a committee to address that. This Legislature, I suppose, spends an incredible amount of its time regulating moronic behaviour. Come on, it's like telling people it's against the law: "You shouldn't smoke in cars with your kids there." Quite frankly, a person who's stupid enough to do that has little likelihood of abiding by the law, right? They'll get out of the car and they'll smoke in the house with their kids there. That's regulating moronic behaviour.

1710

The partisanship of the appointment of local returning officers—and I understand partisanship. Partisanship is a reality of political life. But, good God, at least join it with merit, because you've got some returning officers who



are outstanding, excellent. You've got some, though, who are dogs. You can hear them barking miles away. They should be on leashes. They are, and you know some of the ones I'm talking about, who couldn't exercise good judgment if their lives depended on it. Again, that's nothing to do with this committee. Is this committee going to report back that stupid people should not be appointed as returning officers? We don't need to strike a committee to reach that conclusion. Stupid people shouldn't be appointed as returning officers, and while many returning officers are outstanding—

**Ms. Andrea Horwath:** I second that emotion. I've got my own examples.

**Mr. Peter Kormos:** Ms. Horwath has her own examples. We don't need a committee to tell us this. Again, with all due respect to the Chief Electoral Officer, whom I don't know—never met. Some of my colleagues take great pleasure in reporting back that they met with him, sat down with him and talked to him. I know he's retiring, but I find it passing strange that he would write this letter while having conducted this last provincial election, which was pretty sloppy, wasn't it, Speaker? Huh, Mr. Sterling? Some pretty shabby stuff. Some pretty shabby stuff, and fraught with problems. So when I say you shouldn't invite people to vote by merely picking up a telephone, it doesn't mean you should make them climb Mount Everest before they can cast their ballot. You shouldn't be tackling them and knocking them down on their way to the ballot box. Get rid of the dozen Dobermans surrounding the box so that people are afraid to go near it to put their ballot in. But I think Ontarians have to be encouraged to be excited about the prospect of voting in an election. Maybe it has to do with candidates, the kinds of people who run for office. Political parties have a responsibility as well.

I know that other New Democrats are going to be speaking to this motion. I'm pleased because it isn't etched in stone because, if the motion passes, I'm told that Mr. Zimmer will be the Liberal member. I suspect that if the motion passes, the New Democrats will want Mr. Prue to sit on the committee, and I suspect that the Conservatives might impose on Mr. Sterling, who has a full agenda in his own right, a full dance card. But if you want something done, ask a busy person. Look, it's going to take a fair amount of time. I suspect that the Conservatives will ask Mr. Sterling to represent them. I think that's a pretty impressive team of people. You know I'm a fan of Mr. Zimmer's. The people of Willowdale are pretty lucky and pretty smart. Mr. Prue, of course, while perhaps not the longest-serving yet, has a whole lot of political experience under his belt. Mr. Sterling knows darned near everything and he'll tell you so. He's a smart guy. He'll tell you that too if you ask, and sometimes if you don't. But Mr. Sterling is a lawyer and an engineer. I think that's an impressive trio. Mr. Sorbara is an experienced, capable politician who understands politics both as an elected member and from the organizational end of partisan politics, being actively involved in the Liberal Party.

I'm looking forward to hearing comments from other members of this chamber.

**Ms. Andrea Horwath:** It's my pleasure to spend a little bit of time on the motion before us this afternoon. I know that my colleagues from Beaches–East York and Welland have set out a number of the technical issues, if you will, or the specific issues that arise which we think need to be addressed and that this committee needs to put its mind to. So we've already laid out a number of those things very clearly.

What I wanted to focus a little bit on are some of the issues following from, in particular, my colleague from Welland in his remarks. We went through an election not so very long ago, and it was the stated purpose of the Chief Electoral Officer of the day, during the preparation for that election campaign, to actually increase the number of people voting in the province. I've got to tell you that if that was the stated goal, it was an absolute, utter failure. We didn't see increased numbers of people voting in the province of Ontario, and in fact that effort was obviously not great enough to make that happen.

I wanted to reflect on a couple of the things that occurred in my own riding and then, subsequently, other people who ran in the last election and some of the concerns that they raised in their particular ridings. Interestingly, they're not all the same. The only thing, in fact, that's in common is that most of these electoral districts were fraught with problems. Not only were they fraught with problems, but they were fraught with problems that could not be resolved by the very people who were hired to undertake the procedures of the election. So we had significant concerns in my riding about a number of different issues, but I think the overarching problem was that, notwithstanding the fact that we had a fixed election date—everybody knew it was coming, right? We had a fixed election date, and yet not only was the voters list a mess, and not only did people who weren't eligible to vote get a voter's card, but those who had voted in election upon election and had never moved weren't getting their voter's card. As the member from Welland already mentioned, people who had been—year after year, campaign after campaign, election after election—voting in the same location, in many cases in their own building, this time weren't able to vote there for some reason.

It was a comedy of errors, and the only thing about it is that it wasn't funny. It was funny because so many people in the province of Ontario, just last year, ended up disenfranchised. People actually wanted to vote and had to jump through hoops to try to make that happen. That is absolutely counterintuitive to what the Chief Electoral Officer brought forward as his stated goal. I've got to tell you, something went terribly wrong. So I, for one, am rather pleased to see that a committee is going to be set up to review some of the procedures and some of the ways of doing things, if you will, around elections in the province of Ontario.

In Hamilton Centre, we firmly believed, at the end of the campaign, after we got together and talked about our



experiences as a campaign team—all of my volunteers, myself, my campaign manager and others—our first and most basic conclusion, and I certainly hope that the committee is prepared to take this one on, is that we really do need to get back to enumeration in Ontario. The bottom line is that we need to have enumeration. That way, we know who is where, who is who and whether they can vote. Because we haven't had that in quite some time, a full enumeration in the province of Ontario, we have voters lists that have people who have passed away. We have people who have moved, many times. We sometimes have a third or fourth tenant since the one that's on the voters list there. So I ask, "Are you so and so?" "Well, no." "Have you ever heard of so and so?" "Well, somebody told me when I moved here that that was the tenant who lived here not last time but the time before that. So before the last tenant and the one before that, that's when that person lived here." Give me a break.

That's why enumeration is so important: It updates the voters lists and makes them more current. Is it perfect? No, it's not perfect, but I can tell you that what we went through just this past fall was a dog's breakfast. It was an absolute nightmare to try to figure out whether the person on the voters list was even alive, and never mind the person who was living in the particular place where you were knocking on the door.

1720

Another issue we faced was the whole issue of the increased number of polling stations, again a good kind of theory, certainly, but the reality is that the combination of having these greater numbers of polling stations with making all the apartments a separate polling station, depending on the number of people living there, was problematic because of the point that I just raised. So now you have outdated voting lists, where we haven't had an enumeration in much time. Then, exacerbating that, all of a sudden you have all these apartment buildings that suddenly are now going to be voting stations. Well, you put those two things together and you get quite a mess.

That certainly was what our experience was in my riding of Hamilton Centre. I'm going to tell you it was frustrating. It wasn't just frustrating for me; it was frustrating for the tenants in those buildings. They went down to vote in their polling station. Many times they went out of their apartment and thought, "This is so convenient; I can vote on my way to work." So they would be excited, they'd go to vote on their way to work, and guess what? They're in a rush. They just want to grab their ballot, mark their ballot and walk out the door and get to work. But they were told, "If you don't have a voter's card, you can't vote." "What do you mean, a voter's card?" "You should have had a voter's card delivered." "We didn't get a voter's card." "Well, then you have to go through the process of getting yourself on the voters list."

Initially—of course this always happens to some extent—nobody really knew what to do when somebody got there and wasn't on the voters list. So it takes a while to get the warm-up happening at the polling station.

Nonetheless, many tenants became frustrated and angry with the fact that they were being held up and denied the opportunity to vote. They didn't have their ID on them. In the downtown there are many, many apartment buildings. People live in the downtown and they work in the downtown and they walk to work, so they don't have to bring their driver's licence with them or anything else like that. They simply run out the door, down the hall, into the elevator, and away they go. Stop to vote: "Oh, lo and behold, no identification, not on the voters list. You're going to have to go back upstairs to your apartment." "Sorry, it's five to nine. I've got to get to work. Forget about it. I'm not even going to bother."

I believe that this last election resulted in the disenfranchisement of many tenants in my riding and I would suspect in other ridings as well. The other thing is, it's interesting that all of a sudden, where we'd regularly had some 200-odd polls in my riding in previous elections—and, granted, it was a new boundary—this time around, in this most recent election, we had well over 300 polls.

Again, we figured out ourselves how to make that happen organizationally, but I can tell you I didn't get the sense that the returning office figured it out very well. They did not have the ability to staff up all of those polling stations on election day. They had a very difficult time, just during advance polls, for example, to try to figure out how to make all of that happen.

Again, I got a number of complaints during the advance polling process that the DROs—the returning office where you had to go to make your advance vote happen—or some of the other locations were totally unaware of the process and the procedure. So the training of staff was dismal; it was abysmal. As a result, people didn't know what they were doing. People didn't know how to make sure that the people who were arriving to vote would eventually get their ballot in the ballot box. It was extremely frustrating for people: Never mind if you happen to attend and have a language barrier; try to go through that painful process of getting someone who has difficulty with the English language to read the oath. It was a nightmare. We had many, many complaints about that.

Again, not to say it's not appropriate or the right thing to do, to make sure that people are eligible to vote and make sure they have the proper process in place, but, holy smokes, I think it's really incumbent upon the Chief Electoral Officer to make sure the returning officers not only are competent and can answer all the questions—as my friend for the riding of Welland has already indicated—but also that the people they hire are properly trained and understand what their job is, what the process is. That certainly wasn't in many cases—not all—the situation in Hamilton Centre at the very least, which I can speak to directly.

Do you know what? We had another situation where we had a whole building of people, as well as a couple of houses around that building, a high-rise, and they received their voters' cards with their street address on it—



they lived on Wellington Street—but the community in which they were told to go and vote was the community of Dundas. My friend—oh, I'm not allowed to say that my friend from Ancaster—Dundas—Flamborough—Westdale would agree with me. My friend would agree with me that Wellington Street is in downtown Hamilton. It's not in Dundas. So people were coming to my campaign office and saying, "I can't vote in Dundas. I don't have a car. I don't know how to get the bus out to Dundas. I shouldn't have to go all the way to Dundas just to vote."

We had other people getting voter cards saying they had to go to Brantford. People were outraged. We were very clear with them that, no, they didn't have to go to Brantford and they didn't have to go to Dundas, but I wonder how many of those people simply threw out their cards and said, "To heck with that. I'm not going to bother to go to Wellington Street in Dundas," or "I'm not going to Brantford to vote. You can forget it." Into the garbage it goes, and that's the end of the election for them.

So, again, disenfranchisement of tenants was something that I think was a big, big problem in my riding. It was very obvious that they didn't know what they were doing. And do you know what? The thing that made it worse for us was that when we raised this very specific problem with our returning office, we got some blow-back. We were actually told that they were not going to mail out replacement voter cards to these people, that they weren't going to do anything to rectify the situation, and if people called them, they would set them straight. They weren't going to be proactive in the way that they responded. That, from my perspective, was an absolutely inappropriate and inadequate response.

I mentioned a little bit earlier the whole issue of the training of staff in the returning office. We had some of the most bizarre things happen this time. I keep thinking to myself that during an election year—and I'm sure other members have this happen—people who historically have volunteered or have been paid staff on campaigns for the DROs or for the returning office and have been paid staff in the election, hired by Elections Ontario to do basic pieces of work during the election period, are the same people. They come back every time there's an election and they want to make sure they get their 20 to 60 hours of work in over several weeks and get a little bit of employment happening.

That's all fine and good. It's not unusual that people come to your office and say, "Okay, can you make sure that my name is in, and put my name in with Elections Ontario?" It's quite surprising, then, when at the end of the day, as the campaign gets up and running and we're starting off and we want our poll keys, we go to the returning office wanting the poll keys—we call up first, "Are the poll keys ready?"—they weren't ready in any timely fashion. That was the first thing. The second thing was, they didn't know what a poll key is. They didn't know at the returning office what a poll key is. They had no idea. We were stunned. We were shocked. How can you not know what a poll key is if you're running the

election campaign, if you're running the election process in this riding and you cannot provide the poll key, not because you can't find it, not because it was filed under Q instead of P, but because you don't even know what a poll key is?

We also had significant problems with our access to maps and with the detailing on the maps. We would get maps of a particular poll and all you could see, the only detail on the map—there wouldn't be any streets—would be the railway track that runs through the middle of the poll, and the poll number. Then, if you go to the poll key and you get the description of where the poll is, all of that is fine, but the maps were a mess.

How can you have a fixed election date, know that it's coming a mile away and still botch it so badly, the way this election was botched? I really don't know—not only botch it, but botch it, all the while claiming that your goal is to increase the voter turnout in the province of Ontario. It's really not much more than a joke, but it's a sad joke. I think the sad joke is reflected in the results of the election, but that's another story.

Nonetheless, those were just a few of the issues that we experienced in my riding. One that I think is the most egregious and one that I think should never ever, ever happen again in the province of Ontario and should never have happened this past election—it's shameful that it did happen, and I think it's particularly shameful that it happened when we have a government in place that indicates its commitment to issues for people with disabilities. They have an Ontarians with Disabilities Act. We just went through the process of reflecting upon people with disabilities in the last couple of days once again. I have to tell you I was ashamed, myself—and I have nothing to do with it—to be getting calls from people who went to vote in their power chair or with their scooter, and the polling station was just not accessible.

1730

Currently, the way it works is, every effort will be made to have accessible polling stations. Well, every effort may have been made, but I'm telling you that's not good enough in this day and age in the province of Ontario. We need to make sure and we need to make a firm commitment that every single polling station is accessible to people with disabilities—period, end of story.

We had situations of people who called us afterwards and said they tipped their power chair, their wheelchair or their scooter as far as they could get it into the polling station to wherever the barrier existed that they couldn't get past, because it wasn't barrier-free. They would get up to the barrier and they would be telling somebody else who was going in to vote, "Can you get somebody? I need to vote and I can't get my power chair to where I need to go." Then one of the staff would come from the polling station, get the person's name, go back through whatever maze of hallways, rooms, stairs and whatever else, make sure that person was eligible, and bring back the ballot. And they would have to vote at whatever barrier it was that was preventing them from going into



the regular process of voting, into the polling station behind their private place to vote like every other Ontarian gets to do if they don't have a physical barrier that prevents them from getting there.

Give me a break. What the heck is that all about? I have to say that if there's one thing this committee needs to do, it's got to be to make sure that every single Ontarian who has the right to vote is given the opportunity to vote in a barrier-free environment. It's extremely important, and it's something that is long past due. I was shocked to hear the way these people were treated in my own riding. It was absolutely unacceptable. It's not good enough that you set out the boundaries of where your polls are going to be, and then try to find a place that you might be able to pinpoint that might be barrier-free for people. That's not good enough. That's the opposite way of doing things. It should be done, first and foremost, to make sure it's accessible to all the people of Ontario.

I heard that there were some significant problems as well in the riding of Scarborough-Guildwood. Apparently, entire apartment buildings received duplicate voter cards in error in the revisions process. One of the candidates whom I know very well was there personally. At that time, she went to check out the situation and in fact found that it was true, the complaint that came in—total duplicates. An American citizen was there who actually received a voting card—an American citizen, not a Canadian citizen, not dual citizenship; an American citizen received a voting card.

There were of course also people who were receiving voter cards from former tenants, and they used those voters cards to vote. But the reality was, people were so ticked off with the poor implementation of the voting card mailout and the process of receiving these voting cards that had nothing to do with them—if you looked in the garbage in the mailroom, it was packed with discarded voting cards, just thrown to the side. Anybody could pick them up. If people weren't having their ID checked, they would end up being able to vote.

Advance polls in this riding were extremely slow and frustrated people. In some cases, it took people 20 minutes, half an hour to vote. People got ticked off over the delays, gave up, turned tail and left and decided not to vote.

Apparently, the oath wasn't available in other languages so that people could have an easier way of taking that oath and not be humiliated in trying to stutter through the English language. That oath has some very long words in it that are difficult for many people.

The bottom line is, this committee has a lot of work to do. I look forward to some good results from their work.

**Mr. Gilles Bisson:** Boy, do I have a lot to say about this particular work the committee's going to have to do in looking at the Election Act and what needs to be done in order to modernize it. I listened intently to the comments made the speaker, the member for Hamilton Centre, who basically talked about the litany of problems within her riding. I'm sitting here chuckling to myself

because I thought they only did that in my riding. I'm finding out they've done it in a number of other ridings.

Let me, first of all, set out what some of the key issues are that this committee has to look at. I think the first thing is the election list itself. The electoral list is far from being as accurate as it needs to be. We don't do physical enumeration anymore. Enumeration is done as far as revisions only, so we're relying on databases that the province has in order to build election lists.

That's the first problem: We don't do a very good job of identifying the voter. One of the things that this committee's going to have to look at is, do we need to go back to physical enumeration, knocking on doors and finding out who lives in the apartment that's being rented during the period of the election, who lives at that address? We did that for a long time in this province. It worked well and the election list used to be pretty accurate. But nowadays, my God, I'm telling you, you would look at the election list and you would find as high as 20%, in some urban centres within my riding, where the election list was totally wrong. So that's the first thing.

Then, when they went out and did the revisions, they got that wrong. They would take the person who lived on the corner of street X and Y, where the polling station is normally right across the street at the school, church or community centre, where they've been voting for years, and they'd put them, sometimes, in other towns. The person would have to drive 20, 30 kilometres away to go vote in another polling station that had nothing to do with where the person lived—all because the revision basically messed up.

A big part of the problem is people who live in rural route addresses. There's no physical address within the database to correlate where the person lives, to put him in a polling station. So one of the issues we have—for example, I had tons of voters; this would be the typical story. A person lives in, let's say, Moonbeam, has been voting in Moonbeam all her life in federal, provincial and municipal elections, but had to go vote in Fauquier, Kapuskasing or Smooth Rock Falls, which is a half-hour drive, depending on which way you have to go, or even up to an hour on a highway.

I'll tell you what people did on election day: A lot of people didn't vote. That affected my vote, as the incumbent. It also, quite frankly, affected the Liberal and the Conservative vote. I know that in that part of the riding our provincial Liberal candidate, Mr. Boucher, had some complaints about that. A lot of people he had identified—and I guess I can say thank God for me that they didn't go and vote—had a hard time trying to find a polling station.

So I guess it kind of equalled out the results in the end, but the point is, people really got frustrated on election day. All they know is, "I've been voting at the KC hall for years." That's where you normally go vote, and all of a sudden they've got you voting in another town somewhere else.



The member for Hamilton Centre raises the issue of polling stations. Boy, what a problem. Wheelchair accessibility in some of them is not even available. Basically, people are turned away, not able to go vote.

In the case of Hearst, which I thought was really silly, we have les Chevaliers de Colomb, the KC hall. Basically all of the polling stations for the 10 or 11 polls in the community of Hearst are within that one central place where people go and vote. There's plenty of parking, it's wheelchair accessible, there's lots of room; it works well. We've been doing it for years.

What they went and did this time is, they moved it out of the KC hall and they put it in a couple of different locations, one of them being a school. The problem is, during the time that the voting was going on, wasn't that the time that the buses come and pick the kids up and drop the kids off? You should have seen the melee that was going on during the busing times, where we're picking up kids at the school and dropping them off. People were trying to find places to park. There were traffic jams with the buses. It was unsafe for the kids. The kids are not used to seeing that amount of cars around the school. It was a day that was raining so we had puddles of water and mud everywhere. It was more complaints, so people just didn't go and vote. People said, "I'm not going."

One of the issues that was raised by one of the teachers—and I think this is a legitimate issue—the way they had the polling stations set up, people had free access to the school. Do you want any voter just walking into a primary school and having open access? Hello? I'm not saying anything happened—people in Hearst are pretty decent people—but I'm telling you, that's open for problems. I've just got to say that we need to get that under control.

One of the key problems is that we need to replace the way that we appoint returning officers. They should not be appointed by the government in power. They should be appointed by the Chief Electoral Officer. Here's the problem: The RO doesn't work for the Chief Electoral Officer; the RO responds to the government. So when a member—or a candidate in this case, because we are all candidates at the point of the election—goes and makes a complaint about a polling station or an advanced poll or whatever it might be, they can complain until the cows come home. At the end of the day the RO will make the decision even though the Chief Electoral Officer agrees with you.

Let me give you an example. In my riding there are communities that don't have roads. The only way you can get into them is to fly in by plane. So they decided that there would be no advance polls in any of the First Nations communities. The only place you had an advance poll was in Moosonee, at the Northern Store or at the college; I forget exactly where it was. The first problem is, who can afford to pay an airplane ticket to fly from Attawapiskat or Peawanuck to an advance poll because they will not be available on October 10? Why? Because the First Nations people go hunting at that time. That's how they get their food. A third to half of the community

is out of the community during the period of the election on October 10. They've got no advance polls, so they can't mark their ballot ahead of time because they cannot afford to get on Air Quebec to fly, at \$1,000 a pop, to Moosonee to vote and go back. And that's for each family member.

I called and went and saw our returning officer in Timmins, and she didn't want to do anything about it. She was not going to waste taxpayers' money to give those people the right to go and vote in advance polls. Can you imagine? Imagine those people not having that right. They're the First Nations people of our country. They're citizens of Ontario. You'd think we wouldn't have a problem with this.

So I called John Hollins, the Chief Electoral Officer for Ontario. He agreed it was a problem. I give John Hollins and his staff full credit. He tried to fix the problem. The problem was that the returning officer went, "Nyeeah," and basically there was nothing he could do. Pardon me, I've never done that before in the House, but that's basically what our returning officer did. As a result, because the CEO didn't have the authority over her to fire her, she just did what she wanted to do because of incompetence or unwillingness or whatever—

**Interjection:** Political agenda.

**Mr. Gilles Bisson:** —or political agendas—and it didn't get changed.

So I think one of the things we have to do is say, "Returning officers for each riding are hired by the Chief Electoral Officer and are answerable to him or her." In that way the Chief Electoral Officer, who is a non-partisan appointment, because we in the House here appoint him in a tripartite process, has those returning officers answer to him or her and has the authority to deal with problems as they arise. One of the things I want to see is a change to the Election Act that deals with that.

The other thing I want to deal with, and unfortunately I don't have a lot of time because we're going to be wrapping up here in two or three minutes, is the whole issue of—I did the First Nations. The other thing is the whole issue of when people show up to vote in the wrong polling station. People were basically being turned away, and you know as well as I do that that shouldn't be the case. Unfortunately, the people who are the poll clerks and the people who are the DROs, the district returning officers, don't understand the Election Act. We spent a good part of the day having to work with our DROs and our poll clerks to get them to understand what they could and couldn't do under the Election Act. So here are campaigners having to train the poll clerks and the DROs in what the Election Act allows on election day. That shouldn't be the case. That should be the job of the RO. I just say again that it goes back to the Chief Electoral Officer's having the ability to appoint the returning officers for each and every riding.

I don't have enough time, but the other thing I would talk about is the need for election finance reform. I think we need to look at what the federal government has done vis-à-vis having elections paid by the state, because we

pay them anyway. If I give \$750 to your campaign, I am going to get 75% of it back by the province anyway. So we're paying for all the contributions that are given by way of donations to our campaign up to \$750, I think it is—\$750 and you get 75%, and everything after that is a percentage, up to a maximum of \$1,140 or \$1,125, whatever the number is. The point is, we're paying for it now, so we should make this system clear and transparent so it's not big business or big labour that does the contributions to campaigns, as people would see it, but that we have real election reform so we can have transparency in the system.

Mr. Speaker, I see we are close to 5:45, so I would just adjourn the debate for now and pick up where we left off next time.

**The Deputy Speaker (Mr. Bruce Crozier):** You're right.

*Debate deemed adjourned.*

**The Deputy Speaker (Mr. Bruce Crozier):** It being 5:45 of the clock and our guests from the Council of State Governments being here for dinner, this House is adjourned until 9 of the clock, Thursday, June 5.

*The House adjourned at 1745.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
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Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Aggelonitis, Sophia (L)	Hamilton Mountain	
Albanese, Laura (L)	York South–Weston / York-Sud–Weston	
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Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (L)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (L)</b>	Sudbury	Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
<b>Bentley, Hon. / L'hon. Christopher (L)</b>	London West / London-Ouest	Attorney General / procureur general
Berardinetti, Lorenzo (L)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (L)</b>	Scarborough–Guildwood	Minister of Health Promotion / ministre de la Promotion de la santé
Bisson, Gilles (ND)	Timmins–James Bay / Timmins–Baie James	
<b>Bradley, Hon. / L'hon. James J. (L)</b>	St. Catharines	Minister of Transportation / ministre des Transports
Broten, Laurel C. (L)	Etobicoke–Lakeshore	
Brown, Michael A. (L)	Algoma–Manitoulin	
Brownell, Jim (L)	Stormont–Dundas–South Glengarry	
<b>Bryant, Hon. / L'hon. Michael (L)</b>	St. Paul's	Minister of Aboriginal Affairs, government House leader / ministre des Affaires autochtones, leader parlementaire du gouvernement
<b>Cansfield, Hon. / L'hon. Donna H. (L)</b>	Etobicoke Centre / Etobicoke-Centre	Minister of Natural Resources / ministre des Richesses naturelles
<b>Caplan, Hon. / L'hon. David (L)</b>	Don Valley East / Don Valley-Est	Minister of Public Infrastructure Renewal / ministre du Renouvellement de l'infrastructure publique
<b>Carroll, Hon. / L'hon. M. Aileen (L)</b>	Barrie	Minister of Culture, minister responsible for seniors / ministre de la Culture, ministre déléguée aux Affaires des personnes âgées
<b>Chan, Hon. / L'hon. Michael (L)</b>	Markham–Unionville	Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration
Chudleigh, Ted (PC)	Halton	
Colle, Mike (L)	Eglinton–Lawrence	
Craitor, Kim (L)	Niagara Falls	
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Dhillon, Vic (L)	Brampton West / Brampton-Ouest	
Dickson, Joe (L)	Ajax–Pickering	
DiNovo, Cheri (ND)	Parkdale–High Park	
<b>Dombrowsky, Hon. / L'hon. Leona (L)</b>	Prince Edward–Hastings	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
<b>Duguid, Hon. / L'hon. Brad (L)</b>	Scarborough Centre / Scarborough-Centre	Minister of Labour / ministre du Travail
<b>Duncan, Hon. / L'hon. Dwight (L)</b>	Windsor–Tecumseh	Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	

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Flynn, Kevin Daniel (L)	Oakville	
<b>Fonseca, Hon. / L'hon. Peter (L)</b>	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Tourism / ministre du Tourisme
Gélinas, France (ND)	Nickel Belt	
<b>Gerretsen, Hon. / L'hon. John (L)</b>	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / ministre de l'Environnement
<b>Gravelle, Hon. / L'hon. Michael (L)</b>	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Hampton, Howard (ND)	Kenora–Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie (PC)	Oxford	
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
<b>Horwath, Andrea (ND)</b>	Hamilton Centre / Hamilton-Centre	Third Deputy Chair of the committee of the whole House / Troisième Vice-Présidente du Comité plénier de l'Assemblée législative
Hoy, Pat (L)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara-Ouest–Glanbrook	
Jaczek, Helena (L)	Oak Ridges–Markham	
Jeffrey, Linda (L)	Brampton–Springdale	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (ND)	Welland	New Democratic Party House leader / leader parlementaire du Nouveau Parti démocratique
Kular, Kuldip (L)	Bramalea–Gore–Malton	
Kwinter, Monte (L)	York Centre / York-Centre	
Lalonde, Jean-Marc (L)	Glengarry–Prescott–Russell	
Leal, Jeff (L)	Peterborough	
Levac, Dave (L)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (L)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (ND)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
<b>Matthews, Hon. / L'hon. Deborah (L)</b>	London North Centre / London-Centre-Nord	Minister of Children and Youth Services, minister responsible for women's issues / ministre des Services à l'enfance et à la jeunesse, ministre déléguée à la Condition féminine
Mauro, Bill (L)	Thunder Bay–Atikokan	
<b>McGuinty, Hon. / L'hon. Dalton (L)</b>	Ottawa South / Ottawa-Sud	Premier and President of the Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil, ministre des Affaires intergouvernementales
<b>McMeekin, Hon. / L'hon. Ted (L)</b>	Ancaster–Dundas– Flamborough–Westdale	Minister of Government and Consumer Services / ministre des Services gouvernementaux et des Services aux consommateurs
McNeely, Phil (L)	Ottawa–Orléans	
<b>Meilleur, Hon. / L'hon. Madeleine (L)</b>	Ottawa–Vanier	Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (ND)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
<b>Milloy, Hon. / L'hon. John (L)</b>	Kitchener Centre / Kitchener-Centre	Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Mitchell, Carol (L)	Huron–Bruce	
Moridi, Reza (L)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (L)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	
Oraziotti, David (L)	Sault Ste. Marie	



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Qaadri, Shafiq (L)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (L)	London–Fanshawe	
Ramsay, David (L)	Timiskaming–Cochrane	
Rinaldi, Lou (L)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Leader of the Official Opposition / Chef de l'opposition officielle
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Sandals, Liz (L)	Guelph	
Savoline, Joyce (PC)	Burlington	
Scott, Laurie (PC)	Haliburton–Kawartha Lakes–Brock	
Sergio, Mario (L)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
<b>Smith, Hon. / L'hon. Monique M. (L)</b>	Nipissing	Minister of Revenue / ministre du Revenu
<b>Smitherman, Hon. / L'hon. George (L)</b>	Toronto Centre / Toronto-Centre	Deputy Premier, Minister of Health and Long-Term Care / vice-premier ministre, ministre de la Santé et des Soins de longue durée
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Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (ND)	Toronto–Danforth	
<b>Takhar, Hon. / L'hon. Harinder S. (L)</b>	Mississauga–Erindale	Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Van Bommel, Maria (L)	Lambton–Kent–Middlesex	
<b>Watson, Hon. / L'hon. Jim (L)</b>	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
<b>Wilkinson, Hon. / L'hon. John (L)</b>	Perth–Wellington	Minister of Research and Innovation / ministre de la Recherche et de l'Innovation
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Zimmer, David (L)	Willowdale	

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Khalil Ramal, Laurie Scott, Peter Shurman  
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**Thursday 5 June 2008**

**Jeudi 5 juin 2008**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 5 June 2008

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 5 juin 2008

*The House met at 0900.  
Prayers.*

## ORDERS OF THE DAY

### PHOTO CARD ACT, 2008

#### LOI DE 2008 SUR LES CARTES-PHOTO

Resuming the debate adjourned on June 4, 2008, on the motion for second reading of Bill 85, An Act to permit the issuance of photo cards to residents of Ontario and to make complementary amendments to the Highway Traffic Act/ Projet de loi 85, Loi permettant la délivrance de cartes-photo aux résidents de l'Ontario et apportant des modifications complémentaires au Code de la route.

**The Speaker (Hon. Steve Peters):** Further debate?

**Mr. Ted Arnott:** I'm pleased to have this opportunity to rise this morning in the Legislature to speak to second reading of Bill 85. I believe that—

*Interjection.*

**Mr. Ted Arnott:** Yes, of course; I appreciate that.

I have to initially seek the unanimous consent of the House to stand down the lead speech by our critic, the member for Newmarket–Aurora.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Mr. Ted Arnott:** Thank you very much, Mr. Speaker.

It's a pleasure to have the opportunity to speak in the House this morning on Bill 85. This bill was introduced in the Ontario Legislature just a couple days ago, so the reality is that we haven't had a lot of opportunity for consultation with our constituents or input on this issue. But we have commenced debate on this bill nonetheless, and we have this opportunity to talk about the new Photo Card Act, the long title being An Act to permit the issuance of photo cards to residents of Ontario and to make complementary amendments to the Highway Traffic Act.

I first of all want to note the presence in the Legislature this morning of the Minister of Transportation, the member for St. Catharines. I've always enjoyed working with this particular member in his capacity now as Minister of Transportation. The member for St. Catharines is now in his 31st year of service in this Legislature, which is hard to believe. He deserves a great deal of credit for his longevity, his commitment and his steady dedication to this place. Certainly his presence here at 9 o'clock this morning on second reading of this bill indicates his un-

derstanding of the parliamentary system and the respect that he shows for the opposition when he comes in to be part of this debate, to be present for this debate. It is something that is very much appreciated by all of us. We would hope that it would become a little more contagious with some of his colleagues, but certainly he provides a good example that they should emulate.

The member has been elected by his constituents I think nine times, which again is something that is a good example for all of us. The work that he does is something that is very much appreciated by his constituents and by all of us in this House.

I want to begin by saying a word of thanks as well to the good staff who work at the MTO licence-issuing offices in the province. There is an licence-issuing office in Fergus which is actually located just a few feet away from my constituency office. I've had the chance to get to know some of the staff over there. Because we're so conveniently located to each other, occasionally, when there's a disagreement with the issuing office by a constituent who has a policy issue with the government, the staff are able to send them over to our office so we get to hear about it at first hand. We certainly appreciate that.

There are a number of other licence-issuing offices throughout Wellington–Halton Hills, in Waterloo–Wellington and in my old riding of Wellington, obviously. I think that all of the staff who work at those licence-issuing offices do good work. They are courteous and professional and deserve a lot of credit. I think they work very hard for the wages that they earn. I think that's something that the minister perhaps has to look at too. I've heard over a number of years that the compensation for those particular staff has not really kept up with the rate of inflation. I think they're an important part of the licence-issuing network, and with this bill they're probably going to have added responsibilities. I think that has to be taken into consideration with respect to their compensation.

I believe that transportation is one of the most important responsibilities of the provincial government. I was pleased, when I was first elected to this place in 1990, to be named by Mike Harris, our party leader at the time, as our critic for transportation. Actually, the very first words that I uttered in this Legislature were words exhorting and calling upon the New Democratic Party government of the day to make improvements to Highway 6, which bisected my riding of Wellington in those days. It still goes through Wellington county, north-south. I'm pleased to see that over the years there have been some improvements to Highway 6, I hope as a result of some



of the interventions that I've offered in this place, certainly strongly supported by the county of Wellington and by the staff at the Ministry of Transportation in London, the regional office.

I've made it a point to go and visit the staff at the MTO office in recent years. The MTO staff that I've met with for years—usually once or twice a year, making a special trip down to London to talk to them and express my ideas and concerns about the projects that need to be expedited in my riding—are very good staff as well. I know the minister appreciates their contribution.

I remember in the early 1990s, as the critic for transportation, calling upon the New Democratic Party government to proceed with the Red Hill Creek Expressway in Hamilton, something that the member for Welland understands and remembers well.

As well, I was an early convert to the need for graduated drivers' licences. When I was the critic for transportation that was an issue that I was working on. Of course, that was adopted by the government of the day and has now become a fact of life in the province of Ontario. I think most people would agree that the graduated driver's licence has been a very positive reform in terms of highway safety, especially for our young drivers. Our roads are safer. I think it's fair to say that lives have been saved because of that positive development that emanated from this place.

Bill 85, according to the minister in his presentation in this House when he introduced the bill, as well as his speech with respect to second reading of this bill—he talked about the tourism aspects of this issue. We all know and remember well the terrorist attacks that took place on North America on September 11, 2001. I recall the outstanding oratory that took place in this Legislature following those terrorist attacks. We had a day of debate in which we came together to condemn the attacks and to call upon the western world to come together and respond to them in the appropriate way. I recall that day: We were all asked to speak for about two minutes, but it was probably the most outstanding day of oratory that I've experienced in my time in the Legislature. All of the speeches were excellent, from the heart, and responded to the need that we felt at that time.

0910

Of course, in the United States, the direct subject of the attacks, there was a new cabinet responsibility created, the Department of Homeland Security. From the Department of Homeland Security there have been a significant number of initiatives to try to make United States citizens feel safer, one of them being the western hemisphere travel initiative, which has been talked about in this Legislature many, many times. The Americans feel they have to make their border more secure relative to Canada. We recognize the sovereignty of the United States, and as much as we would like to ensure that our citizens have easy access to the United States, we have to recognize the sovereignty of the United States. They have the right to make their decisions as to how they're going to manage their side of the border. We have the right to

make the decisions as to how we're going to manage our side of the border.

Given the fact that tourism has experienced considerable difficulty—in part because of the confusion, I would argue, at the border, where American tourists who in many cases might otherwise have come across to visit us here in Ontario and Canada already believe that they are going to have problems at the border. Some, I'm sure, believe that they have to have a passport now and don't understand that they can make a land crossing right now and get back home to the United States without a passport at this time. I'm sure there's a great deal of confusion in the minds of a lot of them, and that's why we've called upon the provincial government to make that a focus of a marketing campaign, so as to clarify that issue for our American friends and invite them to come across. Of course we know that the deadline for the application of the western hemisphere travel initiative has changed on a number of occasions, but right now, if you're going to travel into the United States by air, you've got to have a valid passport. As of next year apparently—unless the deadline changes again—June 1, 2009, there will be a requirement for some acceptable photo ID in order for people to get into the United States from across the Canadian border and of course for Americans who want to get home again.

This, I understand, is the impetus for this legislation, and the Minister of Transportation, who used to be the Minister of Tourism, understands this issue well. Certainly he was one of the leaders in Canada in pushing for the establishment of the allowance of another commonly used document. The suggestion was that we could ensure that the citizenship of an individual would be put on the driver's licence; I think he used the words "commonly used photo identification." I think he deserves a lot of credit for this, for moving forward in this regard.

For my part, as the critic for tourism, I certainly was participating in this debate and I've met with a number, actually three or four, of successive US consuls general, the US consulate being just down the street on University Avenue. I've had the opportunity on a number of occasions to meet with them, talking about BSE, the issue that has affected our beef farmers, as well as this issue of the passport, and tried to do what I can, not having the travel budget of a minister being in a position to fly to Washington, DC, or to visit some of the adjacent state capitals. But I did have the chance this March, actually, to travel to Washington, DC, with my family—I would add, at my own expense—for March break, so as to experience all that there is in Washington, DC. I also had the chance to tour the US Capitol and to meet with one of the congressmen, Representative Bart Stupak, a Democratic representative of the first congressional district in the state of Michigan, and we had the opportunity to discuss this issue. I think all of us who have associations and opportunities to meet American lawmakers should be continuing to express the need for this sort of thing, and I know the Minister of Transportation would encourage this as well.



We know that this bill will allow the government to issue three new cards: (1) the combined photo card, (2) the basic photo card and (3) the enhanced photo card. The combined photo card will meet the applicable rules set out by the United States western hemisphere travel initiative, and these rules are expected to severely limit the types of documentation that would be acceptable for entry into the United States. We know that the combined photo card would be used exactly as one would use a regular driver's licence. However, the card will also display certain information about the holder, such as that person's citizenship, and will be equipped with certain machine-readable features. The features would allow the holders to access the US by land and by water and, as we know and as I said earlier, air travel will still require a passport.

The legislation, I understand, authorizes the use of new fraud prevention methods by MTO when operating the combined photo card. These include photo comparison technology, to reduce the risk of any one individual obtaining multiple driver's licences or photo cards, and the sharing of information between Canadian government entities.

Our party's critic for transportation, the member for Newmarket-Aurora, on the day that the bill was introduced earlier this week, talked about the concerns that he has with respect to privacy. The Information and Privacy Commissioner apparently has expressed some concerns about how the information is going to be kept private for individuals. I hope the Minister of Transportation pays heed to those concerns, so as to ensure that the privacy commissioner is satisfied in this respect.

I'm glad the minister is here, because I want to bring to his attention another issue with respect to his responsibility as Minister of Transportation. It concerns another important issue with respect to transportation in my riding. The proposed Highway 24, between Brantford and Cambridge, has become a controversial issue, especially in Puslinch township, Puslinch township being the rural community just south of and adjacent to the city of Guelph.

Apparently, the Minister of Transportation had the opportunity to meet with the mayors of Brantford and Cambridge some time ago—it was on February 19, from what I understand—to discuss this issue. Of course, both of these mayors are strongly advocating for the new Highway 24 through a study process. The township of Puslinch is very concerned about it, because it goes through their area, and they have serious environmental concerns with respect to this issue.

This meeting was held on February 19, and when the township council became aware of the fact that the meeting had taken place, they were disappointed that they hadn't been involved in the meeting and expressed concern that they had been snubbed. Interestingly, this article appeared in the Wellington Advertiser on April 18, and actually a couple of weeks later, on May 2, there was a letter to the editor which, to some degree, had privileged information in it that I would suggest no one

would know about perhaps except the minister's office, addressing the concern expressed by the township. At the same time, I would suggest that it was a rebuttal of the township of Puslinch's concerns.

It was a letter of some length, three columns long, and interestingly, it was signed by the president of the Liberal provincial riding association of Wellington-Halton Hills. His name is Murray Gold. I think that what may have happened here is that someone in the minister's office was monitoring the media in the Wellington Advertiser, and, noticing that the ministry had been not overly criticized but mildly chastised for not involving the township of Puslinch in the meeting, fed privileged information to the president of the local riding association in order to rebut the concern.

I'm not sure how privileged this information was, but certainly I'm willing to share these letters with the minister. I know he would be concerned about it if anything untoward was happening in his office with respect to partisanship in this regard. I'm certainly concerned about it. I wouldn't be surprised if I was criticized in this way through letters to the editor—perhaps that might happen from time to time—but I do take umbrage to a duly elected township council in our riding being criticized by the local Liberal riding association president, having received privileged information through the minister's office. I think the minister should be concerned, and I would ask that he investigate this.

I also want to talk about the roads and bridges funding that was announced just before the end of the fiscal year, the last week of March, before the provincial budget this year. We received feedback from a number of our municipalities, most notably the town of Erin, which was very concerned about how their number was calculated. I was told by the minister and other ministry officials that a formula was applied that was ostensibly supposed to be fair and not supposed to be partisan. Every riding was supposed to be treated equally, not the government members being shown preference vis-à-vis the opposition members.

However, the town of Erin was very concerned about the formula, because they felt that it had not been appropriate to meet their needs. They have a significant number of gravel roads, and I'm told that the gravel roads were given less than full weight in terms of the formula. The reason was that the ministry felt it was less expensive to maintain the gravel roads than the paved roads.

**0920**

The town of Puslinch would argue with that and counter that with its own comments. I would encourage the minister to meet with representatives of the town of Erin, or at the very least have his staff contact them to listen to their concerns, to see if there's an opportunity in the future to ensure that communities like the town of Erin have their needs recognized if indeed new roads and bridges funding is forthcoming.

We also remember the grant program—I forget the official name—I think it was MIII. I'm glad the Minister of Public Infrastructure Renewal is here. I think it was



called the municipal infrastructure investment initiative. I appreciated the support that came to my riding of Wellington-Halton Hills, to some of the municipalities at least, but again there were two that missed out. I've brought that to the attention of the Minister of Public Infrastructure Renewal. The township of Puslinch as well as the town of Erin unfortunately were not successful in terms of that particular program. I would encourage the minister to ensure that there is an adequate mechanism to review the concerns of municipalities which feel that they've been excluded, to have a debriefing exercise so that they can be informed of whatever they could have done differently in their application so that next time they have a better opportunity to meet with success.

I'm glad to have this opportunity—because this is a transportation bill—to talk about some of the other transportation issues in my riding. It has been a very important issue that I've worked on for years. I continue to believe that transportation issues are ones that the government must make high priorities, because it's important for our economy and it's important for everyone who uses our roads.

This particular bill, Bill 85, while an important step forward in terms of the government's policy agenda right now, I think is also important to put in perspective. I said this earlier in the debate when I had a chance for a two-minute response. While we recognize that we need to do everything we can to try to encourage tourism in the province of Ontario, this photo ID card won't necessarily solve in one step the issue with respect to the American tourists who might otherwise want to come here but are going to have trouble getting back home if they don't have a passport.

I know that the Minister of Transportation is sincere when he suggests that if we take this step with Bill 85 to create this new photo identity card, it puts us on a stronger footing if we approach the other neighbouring American states like New York state, which I understand is looking at this as well. But we should be approaching Michigan, Ohio and some of the other neighbouring states to ensure that we can show them that this leadership is something that they can emulate too and that it's in their best interests if they proceed with this sort of initiative as well.

I did ask the government how much the card will cost for Ontario residents. That is not clear in the bill. I think we were told by the parliamentary assistant that it was going to be in the range of \$30 to \$35. I hope that the government will answer that question definitively before the end of this second reading debate, because I think that's obviously an important question. I'd like to know how long this card will be good for. Is it going to be five years? Is the cost going to be based on cost recovery or is it going to be seen by the government as an opportunity to enhance its revenue, perhaps yet another tax? These are issues that I think are very important to be addressed by the government during the course of this second reading debate.

The last time I bought a passport I believe it was \$75 to get the passport for five years. I would suggest that if this is going to be effective and something that people will want to buy, this new card would have to be considerably less in cost than the cost of a new Canadian passport.

**The Acting Speaker (Mr. Jim Wilson):** Questions or comments?

**Hon. James J. Bradley:** I want to thank Mr. Arnott for his contribution to the debate today. As always, his contribution is very constructive and well informed. I think he raised a number of significant issues, and as the debate goes on we will want to ensure that the questions that he has asked are addressed appropriately.

He utilized a device that I'm told members have used from time to time to deviate a little bit from the debate, but at least—I must say this—it was about transportation. I want to assure him that all voices on the issue of Highway 24 are being heard equally and that the government of Ontario is very interested in these matters related to that highway, as are all of the local members. The government does not have a chosen position. We're looking at it in terms of the environmental consequences of any particular routing of the highway. I'm probably not even supposed to respond to something that's on the edge, but I want to give him every credit that there was about transportation. I'm glad he has a good relationship with the folks in the licence-issuing office in his area, and indeed that is a very significant service that people provide in those offices to the people of Ontario.

The member has raised a number of significant issues, and if I had a significant amount of time, I would address some of these matters. What you see in a bill and what subsequently is part of the whole passage of a bill are two different things. It's not that there's any deception in this regard, but I think the member legitimately asked some questions that during the debate we will ensure that we answer before the bill is given final consideration.

**Mr. Norm Miller:** I'm pleased to add some comments to the speech from the member from Wellington-Halton Hills on Bill 85, the Photo Card Act, 2008. He did raise a number of concerns to do with the bill. I think we're generally supportive of a new photo card. This bill would enable three new cards. One is a combined photo card, which would basically be your driver's licence, and it would be enhanced with more information, I guess the idea being to be recognized by the United States to make it easier to cross over the border. Then there'd be two other cards: a basic photo card for those who don't have a driver's licence, and an enhanced photo card which has more information on that basic card. I do have questions about why you need three. Why wouldn't it just be two cards, and why aren't they all enhanced?

I note also that the privacy commissioners have concerns to do with this and I think that their concerns need to be addressed. But obviously it's important that we make it as easy as possible to cross the US border for the sake of our economy and for the sake of tourism in this province. It's my feeling that this year is going to be a



very challenging year for tourism in the province of Ontario, with the combined effects of the high Canadian dollar, gas prices and the slowing US economy. Those things are all combining to make for what I think is going to be an extremely challenging year in tourism, which is why I think the government might want to pick up on the opposition's idea of removing the sales tax over the course of the summertime. I think that idea can be a real shot in the arm for tourism in the province of Ontario this year through the summertime, which is prime tourism season in Ontario, and right at a time of the business cycle when it's really needed. I hope the government will give serious consideration to removing the PST—John Tory's idea—and take that idea and run with it. It will make a difference to the economy this summer.

**Mr. Khalil Ramal:** I'm honoured to get the chance to comment on the speech from the member for Wellington-Halton Hills. I think it's very important, and it's been mentioned many different times. He has asked many questions, and I guess he, as a member of the opposition, has a right to raise those questions because he has to answer to his constituents. But in general I think this bill is very important for all the people of Ontario and has been raised many different times, through him and his colleagues. It's good for the tourism industry because it will allow many different people to travel between the United States and Canada without any problems.

Hopefully, when I get the chance to speak, I'll explain myself more and show what's important in this bill—

**Mr. Peter Kormos:** You'll have that chance in five minutes. Then you can speak for 20 minutes.

**Mr. Khalil Ramal:** I will have that chance, definitely. It's important to show my support of this bill because it's an important initiative to allow people from the United States or Canada to travel without any hesitation. As you know, sometimes when you go to apply for a passport, it takes forever, and sometimes people are uncomfortable carrying their passport.

The member from Wellington-Halton Hills mentioned the cost. I think that our intention as a government is not to profit from this initiative but just to make it easy and accessible for the people of Ontario. Hopefully it will be applied only to the cost—whatever the cost of the card—for the clients or the people who want to travel between Canada and the United States. So as I mentioned, hopefully I'll get the chance to speak in a few minutes and I'll speak in detail about the importance of this bill.

0930

**Ms. Laurie Scott:** I want to commend my colleague, who made a great articulation about Bill 85, the Photo Card Act. He's our critic for tourism. He does a great job of that and has brought forward some suggestions to the Liberal government. We were hoping that they may take them in. I know he made another plug, and so did my colleague from Parry Sound-Muskoka, about the relief this summer that some of our tourism operators need to try to get more tourists to the area.

This bill is the Photo Card Act, and we certainly support the intent, because what we're trying to do is keep our border traffic moving. Of course, Americans have a long history of coming across the border to Canada to holiday and to take in our great province, but unfortunately the number of American tourists who have been coming over of late has been diminishing. They feel they need the passport already. There's confusion. They don't want long lineups on the border, which they see on TV shows. That has been hampering their ability to come across the border and their desire to come across. We need to reinstate that we are welcoming the American tourists. How can we do that? Well, there are three new cards proposed here and the intent is certainly great to keep the border traffic moving. We have some concerns about this bill, but we certainly support it in principle.

I know the privacy commissioner has some comments. I want to speak too, for the few seconds I have left, about tourism. It certainly has been hurting the resorts in my riding of Haliburton-Kawartha Lakes-Brock, which rely heavily on tourism. The Minister of Transportation is shaking his head. I'm glad he is aware of that. It's quite a soft market, they say, and we have lots of vacancies. So if anyone is planning a holiday, come up to Haliburton-Kawartha Lakes-Brock.

**The Acting Speaker (Mr. Jim Wilson):** The member for Wellington-Halton Hills has up to two minutes to respond.

**Mr. Ted Arnott:** I appreciate the invitation and I hope to spend some time in that beautiful part of the province this summer too.

I want to thank the Minister of Transportation, the member for Parry Sound-Muskoka, the member for London-Fanshawe and the member for Haliburton-Kawartha Lakes-Brock for their response to my opportunity to speak here this morning, and especially to pick up on the point that was made by my colleagues to encourage the provincial government to give serious consideration to our proposal, which we brought forward in good faith, to encourage the government to suspend the retail sales tax on accommodations and attractions this summer.

I know the Minister of Transportation, as a former Minister of Tourism, would understand how this might benefit the tourism industry. I'm sorry that the current Minister of Tourism suggested that it was nothing more than a Band-Aid, that it wouldn't really do very much.

I had the chance to speak in the House about this yesterday and I quoted some of the industry response to our proposal. Clearly, the industry believes that this would be a positive benefit to them with respect to the challenges they are facing this summer.

My colleague mentioned the high Canadian dollar, the skyrocketing price of gasoline, the confusion at the border, an ineffective marketing campaign by the government of Ontario. All of these things are coming together at once, and the initial reaction of the tourism industry to the May 24 weekend was to let us know that they believe this summer they are going to be facing serious difficulties. Obviously, we have to do something.



This isn't something that hasn't been tried before. In fact, our government did this when we were in power after the SARS situation, to ensure that tourism was encouraged in Ontario, and at that time it worked. So I submit to the government that it would work again and it would be a positive development.

It's often suggested that the opposition parties are too negative. We have a role to oppose in the Legislature—and that's an historic role—but we also have an obligation to bring forward constructive suggestions. This is one of them that the government should listen to and heed.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Khalil Ramal:** Now I get the chance and the time to speak in detail about this bill, and also about the importance of this bill.

Bill 85, to enhance drivers' licences in the province of Ontario, I think is a very good initiative. I want to commend and congratulate the minister, who has been working very hard for a long time on this issue in order to find a solution for people crossing the border with the United States. I understand that after September 11 the Americans raised so many different issues about security, about people crossing from Canada to the United States or vice versa. I think it's important to them to see that the people who come to their nation are safe and secure and that they are not going to cause any trouble to the safety of the United States. I think it's an important request. That is why we, as a government, are taking an important step towards achieving this goal.

As you know, many people come from the United States to visit the province of Ontario. I'm not talking about thousands or hundreds of thousands; they come by millions on a yearly basis. I heard the statistics not long ago. Almost five million people come to visit Niagara Falls on a yearly basis, and some of them come from the United States. That's why it's important for our tourist industry in this province to create some kind of accessibility mechanism to allow people to travel back and forth without any problem and eliminate all the concerns of the United States, especially in terms of security and the people who go to visit the United States. This creates some kind of a comfort zone for the people and the government of the United States, because our government is taking an important step to make sure that all the people who have those cards are legitimate people, Canadian citizens—they're not criminals—and whatever the border states require. They will hopefully take those cards into consideration.

As you know, in Ontario we deal a great deal with the United States in terms of our economy. Our GDP with the United States is almost \$600 billion a year. I learned not long ago that Highway 401 alone contributes almost \$200 billion every year, through the trucking industry moving goods from the United States to Canada and from Canada to the United States on a regular basis. I got the chance last year, through our auto caucus, to meet with people from the manufacturing industry and the auto

industry. You know what they told us? Most of the parts that go into our cars travel six times back and forth to the United States. It's important to create the accessibility.

That's why I think this bill has some kind of provision to create a special licence with a magnetic chip or computer chip that can detect and read more information about the drivers who are driving those trucks or cars, to make it easy and accessible to the United States. It's in our best interest to move goods from Canada to the United States faster and without any extra costs that will occur if the car or the truck stays longer on the highway. As you know, those huge trailers or trucks cost a lot of money for the drivers, for gas, and sometimes it affects the goods, especially if you are transporting animals like cows or pigs, or whatever product. Also, vegetables cannot tolerate the heat or cold weather. That's why I think it's very important to create innovative ideas in order to create accessibility to the United States, back and forth, without hurting our neighbours and without jeopardizing our industry in Ontario.

The most important thing is to create a comfort zone with the Americans, which I think they've asked for for a long time, because it's important to them. If they want to welcome people to the United States, it has to be safe, not criminals or terrorists. That's why our government has taken what I think is a very important and practical step to eliminate fear and to create a mechanism to allow people to access the United States without any problems, so that the Americans are comfortable with our strategy.

The most important thing is also to create a driver's licence and enhance the driver's licence. Of course, this enhanced driver's licence has a lot of personal information about the person: his or her citizenship and background information required for the security of the United States. That is why the citizens of Ontario, if they wish, can apply for this driver's licence. It's not mandatory; if you want it, you can apply for it. The cost, as has been mentioned many different times, is between \$35 and \$40. I heard from the minister and the parliamentary assistant that those costs are not to raise money as extra funds. The cost of this one here is only to cover the cost of the card. As you know, those technical cards cost money, cost employers to put the pieces together etc. So this costs only \$35 to \$40 per card.

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But I think it's important for all of us. It's important because this card contains a lot of information. Also, when you go through the border, the border officer can swipe the card and know all the details about the person. It basically has more information, similar information to a passport.

A passport, as you know, is a little bit big. Not many people are comfortable carrying the passport back and forth. That's why the small magnetic card has all the information, similar information to that passport. You can put it in your wallet. It's easy to keep in your wallet all the time. It's like a credit card, like a Visa, like whatever. It's small like a driver's licence; it's driver's licence-sized but has more information in it. Also, the



people who don't want to have this card can have a passport or a regular driver's licence.

But the most important thing is that our government is creating a way to allow people to be comfortable, to be able to access the United States, back and forth, without any hesitation and without any problem. As you know, sometimes it's very difficult to go to the passport office and apply for a passport. Sometimes you have to wait. Sometimes you don't know whether or not your passport has expired. There are so many different complications. This is an extra, alternative way to have accessibility to the United States.

Besides that, some people can use this photo ID for many different things. If you want to go to a bank, if you want to go to different government offices, you can present this ID because this ID has all the information needed for whatever reason. Also, if you are below age and you don't have the right to drive yet, there is another photo-ID-enhanced card for people who are below the eligible age to obtain a driver's licence. As this enhanced card has all the information about the person, they can access the United States the same way as with their driver's licence.

Many people talk on a daily basis about the importance of the tourism industry in this province. As you know, after SARS, after September 11, after the gas prices and after the high dollar, not many people like to travel as much as before. That's why our government has taken so many different good initiatives to attract people to come to Ontario. One of those initiatives creates an accessibility mechanism, a card, an enhanced driver's card, an enhanced photo ID card, to allow them to go back and forth more easily than before.

I'm proud to be a part of this province. In the province of Ontario we have a lot of tourist sites. It's beautiful; it's amazing. As parliamentarians, sometimes we get the chance to travel with committees across the province—

**Mr. Peter Shurman:** On a point of order, Mr. Speaker: Quorum, please.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** A quorum is present, Speaker.

**Mr. Khalil Ramal:** We are proud of our province. We're proud of our tourist sites in Ontario. So our job as a government is to create all the means, goods and ways to attract more visitors to come and visit the province. As I mentioned at the beginning, my friend the member for Niagara Falls told me that almost five million people visit Niagara Falls on a yearly basis. Most of those visitors come from the United States, whether to visit Niagara Falls or to enjoy the recreation facilities in Niagara Falls. Also there are many beautiful sites, whether in Ottawa, Chatham-Kent, Strathroy, London—many places—Orléans, Windsor and Toronto. This province has beautiful, natural sites that attract many people from across the globe to come to visit.

Many people are talking about the departure of manufacturing from Ontario and that we have to rely on different alternatives. We have to promote this province. That's why our Premier appointed the member for

Vaughan, the Honourable Greg Sorbara, to commission a study to see how we can promote our tourism in the province of Ontario, how we can create some way to tell the people about this beautiful province, how we can tell them to come visit and be comfortable and be happy, and also to create some way to tell people about our natural resources, our natural sites, which we enjoy on a daily basis in the province of Ontario. But we have to promote it, not just nationally but also internationally, especially with our neighbouring country, the United States.

I was watching TV not long ago and I was seeing those movie stars, the Hollywood stars. They are coming to Ontario, they're coming to Toronto to shoot their films, because they think we have all the sites that give them the tools and the way to produce some of the best films in the world.

So that's why I think we have a lot of things to be proud of, we have a lot of places that we can be proud of, but the most important thing is how we can promote those sites, how we can tell the people of Canada, how we can tell the people of the United States and tell the people of the world about Ontario: about the parks we have, about the lakes we have, about the heritage buildings we have, about the theatres we have, about the movie theatres we have, about our environment, about our valleys and beautiful sites which we enjoy on a daily basis but don't pay much attention to. These places, I think, will be important to all the people to come and see.

That's why our Minister of Transportation wants to work hard to create a way to allow people to come and visit without any trouble and without any problems. Most of the time, we take things for granted, and sometimes, when we travel, we get lazy. If we think this place or that place or a certain location is going to cause us some kind of problem or difficulty or create extra work for us, we don't go visit it. But when we create accessible ways, I think we'll be attracting more people. This is the importance of the idea of an enhanced driver's licence, and it's important for us, as Ontarians, to increase the tourism industry, the commercial industry, the transportation industry, because we rely a lot on those areas. They support our economy big-time.

As I mentioned to you, when I was meeting with the transportation industry not a long time ago, they told me that they haul almost \$200 billion on a yearly basis from Canada to the United States. So can you imagine if we delay that transportation industry? They pay for mileage, they pay per hour, and also some products are perishable products, or they sometimes haul animals through the border, like chickens, hogs, beef, and those animals cannot tolerate the heat; they cannot tolerate the cold.

So I think it's our responsibility to create an accessible mechanism. Enhancing licences by creating some kind of a magnetic or electronic chip can send a signal to the border officer, who can read all the information before the trucks reach the booth and then can allow them to access the United States fast and quick. I think it's a very important idea, because the whole idea for the accessibility to the United States is security. They want to



know more information about the driver, about the truck, about the location and the company. When that chip sends a signal to the border officer, they can read all the information about the driver and all the information about the truck and the company. Then, if it's a legitimate company, a respectable company, and has no record of any criminal activities or harbouring terrorists or whatever, they can allow them access with no problem or troubles. It's easier for the border officers and easy for commuting back and forth. I think it's a very important step.

Also, the drivers' licences is a very innovative idea. I was, at one time, interviewed on the radio in London on AM 980 with John Wilson, as all the MPPs and MPs have the chance every month to go on the show and listen to the people of Ontario and answer questions. And the most important thing was that people were asking about those drivers' licences a long time ago. They were asking how come we cannot create, with the advanced technology we have today, some kind of card or tool to allow people to visit the United States fast and quick and to come back fast and quick.

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Sometimes people are hesitant to travel to the United States because you may have to sit for five, six, seven hours at the border waiting for your turn to come, and especially in cold weather and hot weather it's very difficult. As you know, when are you driving in the summertime, the air conditioning does not work when the car is sitting. It doesn't work well. So it's difficult and inconvenient for many people.

I think by creating this tool, this card, we are helping people with fast and quick access to the United States and we are helping our economy continue to be prosperous. We wish the economy of the United States would get better. Our economy will be getting better. It's important for us to continue this good relationship with our friends in our neighbouring country, the United States.

I think it's important for all of us to support this initiative because it's important for all of us. It's important for our economy, it's important for our tourism, it's important for a good relationship with the United States and it's also good for the people of Ontario. I'm privileged and honoured to be a part of a government that is thinking about all these details, all the means and ways to help people have access, to live a good life and to travel without any problems.

**The Acting Speaker (Mr. Jim Wilson):** Questions and comments?

**Mr. Peter Shurman:** Just a brief response. I'll speak at length to the bill itself in a couple of moments, but in response to my friend from London-Fanshawe who talked about a variety of issues that in one way or another interface with this bill, he made a comment concerning the possibility of equipping trucks that engage in trans-border commerce with chips that could be very easily encoded with the contents of the truck and all kinds of information that would facilitate border crossings. It might be of interest to this House and the member to

know that this is done routinely by CN Rail when they put their trains together so that the assembly of trains—and I'm talking about huge trains with hundreds of cars in them—can be measured instantaneously, electronically, as they go by. I think he brings a good point forward which might well be worthy of consideration by the transportation ministry going forward because it would facilitate border crossings. I congratulate him on coming up with that.

In terms of his comments on tourism, again, I think on behalf of all sides of this House, it behooves us to consider the implications of anything we do, whether it be the enhanced cards that we're discussing today or any incentive that can bring people to move from their homes to some other place, whether they be Ontarians or whether they be people who are crossing our borders.

Contrary to statements issued yesterday in this House by the tourism minister, I think that going forward, we have some worries. Some of them may well lie with this government and others may not, but the fact of the matter is, everybody has to endure \$1.30—probably soon \$1.40, \$1.50—gas. There are a lot of things that come into play here when we talk about moving vehicles from one jurisdiction to another.

I congratulate the member from London-Fanshawe on what he had to say and I think some of those comments are very worthy of consideration.

**Mrs. Maria Van Bommel:** I also want to commend the member from London-Fanshawe on his thoughts in terms of the enhanced driver's licence. He talked about how some people are reluctant to carry a passport, and I agree. I know for myself, the worry of losing it or having it taken from you is certainly considerable. It is a little bulkier than the driver's licence, so you really want to make sure you hang on to it. You don't always have it with you when you need to have it with you, but a driver's licence is something you carry with you all the time.

One of the other advantages this proposal in this bill has is that it will also act as a photo ID card. One of the things that does happen for people who don't have a driver's licence—and there are many people who do not have drivers' licences—is that when they're asked for a photo ID, they have nothing. Or if they're asked for two pieces of photo ID, they may have their OHIP card but they have nothing else. So this gives them an opportunity to have one more piece of photo ID that has all the information they need to have inside that card, so that again becomes enhanced identification for those people.

I'm also very aware of the fact that many border states are considering like legislation. That's very important if you look at my riding of Lambton-Kent-Middlesex, where we have a large tourism component. When you're along the lakes—Lake St. Clair and Lake Huron—and you have communities like Grand Bend, which are renowned summer resort areas, the opportunity to have people flow into our province from the border states is very important. One of the issues for a lot of tourism in my communities is the fact that we rely very heavily on



the American tourists; we want them to come to our communities, we want their dollars, we need them to be there, and this certainly will enhance that opportunity as well.

**Ms. Laurie Scott:** I'm pleased to follow the comments of the member from London–Fanshawe on Bill 85, the Photo Card Act. Certainly it's been spoken about quite a bit since 9/11, and the world has changed dramatically. People's identifications are drastically important in how we move around the world. We're kind of trying to get in line with what the US is going to require. I know that the member from Wellington–Halton Hills mentioned that the dates have changed several times for the identification requirements to go across the border. I think that, in a sense, is a good thing in that the Americans realize how vital it is to keep the flow going back and forth, and we certainly see this also. It's their requirement, to get back into their country, that proper identification and the passport qualifications be brought forward. It's nice, in a sense, to see the two countries working together in this respect. But, as I had mentioned in some previous comments, there already is a lot of misinformation on the American side that they need a passport to get back and forth now, so they're not coming up to take their weekend fishing tours, not coming up to our sporting events to watch the games, and it is impacting them. We see that the Buffalo Bills are going to come up and play—is it one game or more than one game up here?

*Interjection.*

**Ms. Laurie Scott:** Now I've got the guys on the other side awake. Now the gentlemen are awake. That's a sign of how critical it is that we go down to their sporting events. They're going to keep us interested in the NFL, especially up here, and we certainly welcome that. As you see, everyone woke up and the excitement is here; it's that way across the province. We want to keep that traffic flowing maybe as fast as possible. It's interesting to see this debate, and hopefully we'll accomplish that.

**Mr. Norm Miller:** It's my pleasure to add comments to the speech of the member from London–Fanshawe on Bill 85, the Photo Card Act, 2008. I think we all recognize that it's vitally important that we make it as easy as possible for Canadians to be able to travel to the States and back, for our goods and services to be able to travel across the border, and for Americans, just as importantly, to be able to come into Canada. This bill would create a new, enhanced photo card for your driver's licence and also, for those who don't have a driver's licence, either a basic or enhanced photo card that would—I assume the government's doing its homework—meet the requirements of the United States' western hemisphere travel initiative.

I think we do have questions about what this is going to cost both the general public and the taxpayers. I know last year there was a new driver's licence that was just brought out: Is that now redundant, I would ask? I think this is very important for tourism in this province.

This is going to be a challenging year for tourism. I think the government needs to do more to help the tourism economy in the province of Ontario. I wish they would pick up on the idea of the PC Party and take off the retail sales tax for this season, for the biggest part of the tourism year in the province of Ontario, the summer season. Take that idea: Take the retail sales tax off for attractions and accommodations. I think that would be a real stimulus for the tourism sector. I think you could add to that some enhanced marketing to keep people in Ontario in the province. Let them know about all the great things to do in Ontario, because this is a year that the tourism sector needs some assistance. I hope the government will work hard to provide some assistance for the tourism sector this year.

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**The Acting Speaker (Mr. Jim Wilson):** The honourable member from London–Fanshawe has up to two minutes to respond.

**Mr. Khalil Ramal:** I want to thank all the members who spoke and gave comments on my speech, especially the members from Thornhill, Lambton–Kent–Middlesex, Haliburton–Kawartha Lakes–Brock, and Parry Sound–Muskoka.

I want to go back to the member from Thornhill. It's an important issue for us to create accessibility, especially in terms of the transportation industry, because we generate a lot of money, almost \$200 billion, through the 401 alone, and \$600 billion on a yearly basis through our access road to the United States. Some of the parts travel six times before they finally go into being a part of a car.

The member from Lambton–Kent–Middlesex spoke about the tourism industry. She has beautiful Pinery Provincial Park in her riding. So many people come from across Ontario, from across Canada and the United States to visit and camp on that camping ground. The member from Haliburton–Kawartha Lakes also mentioned the tourism industry in this province. There's no doubt in my mind that she has beautiful sites in her riding too, and many people come.

Talking about sports, we have lots of sport facilities. We have the dome down the road here where the Blue Jays play on a regular basis. We have a lot of places that attract a lot of sports fans from the United States and many places. I think we have to be accessible in allowing them to come and enjoy our facilities here in Ontario.

I think this bill, with the support from both sides of the House, because it's a non-partisan bill, creates accessibility to the people who want to visit our beautiful province. All of us, from both sides of the House, have a great interest in attracting more people to come visit us and spend money in our beautiful province. We have a lot of things to offer: sport facilities, tourist facilities and beautiful, natural spots that they can enjoy when they come to Ontario.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Peter Shurman:** It's interesting, his final comment. As I rise to briefly discuss Bill 85, the Photo Card



Act, 2008, the last comment I heard was rather interesting, about debating non-partisan bills. It seems to me, if I might be permitted a brief observation, that most of the bills we've debated in this session have been non-partisan bills, or you might easily describe them as that. In any event, I certainly support this one. So we're not going to get into any heated debate on that.

I hold in my hand my driver's licence, and I hope this will not be considered in any way more than an aide-mémoire; it's not a prop. I'm looking at it only because it is one of the new driver's licences that have been issued over the last five months or so. They were touted as a wonderful innovation by the transport minister when he introduced them because they contain a variety of security features, holographic signatures, photographs and so forth—a very beautiful driver's licence it is indeed.

But I understand that people have already figured out ways to duplicate them, and that's probably the primary issue that I'll want to raise this morning—the issue of security—although I could easily ask the question: Why did we bring out new driver's licences recently if we're going to bring out, yet again, new driver's licences, as indeed we are?

As was previously stated in the Legislature, Her Majesty's official opposition does support the government's intention to move forward with an enhanced driver's licence for Ontario's residents. This is a significant step forward for those residents of Ontario who, due to disability or for whatever reason, do not possess a traditional driver's licence. I have risen in this House to question this very issue previously myself.

In effect, as one of the three cards that are being discussed is a driver's licence without the right to drive, as it were, an identity card that contains some form of biometric information—and especially photo ID that allows somebody to identify themselves as indeed being themselves when presenting themselves to a bank or to another institution that requires some form of official identification—in that sense, I have to say that I support it.

The card itself does indeed rectify an imbalance in our identification system and it allows individuals access to ID that provides ready information for obtaining this host of various other instruments: credit cards, opening a bank account, proving age for seniors' discounts—like I now get sometimes, Mr. Speaker.

Trade between Canada and the United States is valued at a very large figure—I believe the member from London-Fanshawe mentioned something in the vicinity of \$1.9 billion per day. And he's quite correct: Economics, especially now, dictate that we accommodate the expeditious transit of goods and people across our borders with our southern neighbour.

That raises some other issues which I'll discuss at greater length as we go forward, not least of which is the fact that although we are entertaining the concept of bringing in these new cards, and very particularly cards that contain information similar to that now contained on

passports, we have no evidence with any degree of finality that our southern neighbour is ready to definitively accept these cards in the place of passports. That's one of the things that concerns me in looking at this bill.

Here in the GTA, we have access to the QEW and the 401. These are two critical arteries that link the economy of southern Ontario to the industrial dynamo of the American Midwest and the key markets of the eastern US. We can be stick-in-the-mud holdouts at our own economic peril, or we can, as the saying goes, get with the program. We in the PC Party agree with the latter: getting with the program. If we can negotiate a definitive agreement to accept this form of electronic transfer, good for us, and good for them, I think.

Each day the bottlenecks at the crossings in Windsor and Sarnia and Niagara are costing the economy, in and of themselves, billions of dollars in lost revenue. So is the inaction of this government, I have to say, but that's another story for another day, or maybe it's something for question period. But I digress.

It is due to the sensitive nature of the material being stored on these cards and due to the dependency that our economy has on timely access to US markets that I believe we only have one shot to get these cards right, and I mean really right, because we're talking about spending an awful lot of money; we're talking about incredible sensitivity of information that just cannot go further than the card itself in the hands of the individual holder of each and every one of those cards.

I got this fabulous new driver's licence recently that I mentioned—and, no, it wasn't a prop. I can see my signature on there from four different angles, so the security features in that are embedded and wonderful. But, as I've said, I'm betting that someone—and probably a number of someones—is already turning those out. I believe the last statistics that I saw on the issue of driver's licences in the province of Ontario said that they outstrip by hundreds of thousands the number of licensed drivers in the province of Ontario. So that speaks to the issue of whether identification cards of any sort, driver's licences or otherwise, beg duplication on the part of people who have nefarious ideas in mind.

I want to look back into my memory and recall for this House certain teenagers who shall remain nameless, early in the days of the original PCs—I'm talking 20 to 25 years ago—changing their marks in school by hacking into the school computer, breaking into the Pentagon's computers just for fun. And that was then, with a little thing called an IBM PC/XT that probably had a processor somewhat less powerful than the BlackBerry that I have on my belt here today.

**Mr. Bob Delaney:** Much less.

**Mr. Peter Shurman:** Right, much less.

Today, we all know about lost laptops with hard drives that contain incredible amounts of very sensitive information. We all know about discarded printouts of sensitive personal data files and misplaced bank databases or huge volumes of data on disks that nobody has disposed of, left in discarded premises from which somebody has



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I owned and operated a call centre myself for about 15 years during the development and maturation of e-commerce. I personally had some familiarity with things like SQL databases, Oracle databases and a host of others, and trust me—because you can't trust anybody else; that's a bit of a tongue-in-cheek comment—when you're dealing with electronic files, once they get into the wrong hands an incredible amount of damage can be done. I am sure, without knowing for certain, that there are people in this House who have been affected personally by some form of identity theft. This has happened in my family, and I know it can wreak havoc; all this to say that my support is there for the new cards. My support is there, but these licences—or, if I may, data cards—must absolutely be tamperproof or they are as useless as no ID at all. I think that every single member of all parties in this House should bear that in mind as this bill makes its way through committee and back into this House and is passed, as it undoubtedly will be.

We already know that errors exist within the current MTO tracking system that have enabled drivers who have had their driving privileges suspended to be issued new licences. And we know that there are thousands, even tens of thousands—and I've said that I've heard figures as high as hundreds of thousands—more issued driver's licences than there are Ontario drivers. It's a staggering figure.

Can the minister assure the House and the people of Ontario that such mistakes do not happen under the proposed new regime? And will he provide these assurances, not by saying yes, but by having the supplier or suppliers demonstrate the absolute certainty of the system contemplated? I'm not being difficult. "You don't get a second chance to make a first impression," is a saying that I heard a long time ago and it certainly is applicable in this particular case.

There are a number of other questions that are raised by the bill and aspects of the bill that get down to what I'll call niceties, one of them being the fact that there are three cards envisioned: a combined photo card, a basic photo card and an enhanced photo card. I'm taking that to mean that the basic photo card would be a driver's licence without being a driver's licence, i.e., it looks like absolutely anybody else's driver's licence except you can't drive; the second card would be a combined photo card, and I'm taking that to mean it would be that plus a driver's licence; and then an enhanced photo card, which I will assume is the driver's licence, the basic ID, and all of the metrics that are now embedded in our Canadian passports would be embedded in these cards. That is the very issue that I focus on when I express the concerns that I have about security, because in the wrong hands and with the right machinery, an incredible amount of damage can be done.

I recognize as well that time is of the essence and that the people of Ontario cannot afford to have a solution to

the issue of identification become stalled, in this House or anywhere else. We have economic problems in Ontario. We are discussing them from all parties' perspectives in this House during question period every day, in caucus rooms every day, and frankly at dinner tables all over the province every day, as we are on a slide. Different people have different views on why we are on that slide, but there is no question that we have to stop it. One way to stop it is to facilitate the transportation of people, goods and services from this province, outward and back in, and that's why I say that the rapid facilitation of the implementation of these cards or any other electronic measure that would lend itself to improved transportation of goods and people can only be positive. However, the people of Ontario can afford much less to have a system put together that is rife with errors or loopholes.

Earlier this year, the Ontario privacy commissioner, Ann Cavoukian, raised some extremely valid concerns that I am hoping the Minister of Transportation and his staff are taking into account as this project moves forward. The minister raised the issue of what is called radio frequency identification technology—the acronym is RFID—being implanted in the enhanced cards. This technology can be used to store all sorts of information with a simple swipe.

Some of the members here today may actually have cars that start without a key, you just turn a switch, because they carry on their keychain—one is held up for me now by a member opposite. No props in the House, please. You get into your car and turn a switch. Why does that switch work? Because that particular member or anybody else who has one of these cars carries an RFID tag on his keychain or somewhere else on his person. It's only by proximity that this works, and it works very well.

RFID's intended use is to speed up processing at border checkpoints. Cards could emit signals to receivers in customs booths and thus display the vital statistics required. Actually, the technology is, in the parlance of the day, pretty cool, and I happen to be a techno freak. But—and this is a very big "but"—RFID technology in the wrong hands can be used to track the location of individuals carrying enhanced driver's licences due to the radio signals that those cards will emit in response to the appropriate stimulus. That means to say, in plain language, that if you have the right machine, and you push the right button, and someone is nearby with one of these licences, you learn everything there is to know on that card on a screen or printed on a piece of paper. What can you do with that information? A heck of a lot, and by "a heck of a lot," we're talking about damage.

What kind of measures are MTO staff taking to address this concern? Can I pass a scanner that provides anything and everything about me to the wrong person in possession of such a device? The answer is yes. So how do we prevent that, my walking by that scanner and giving away that information? I know we can, but I ask on behalf of every one of us here, not as an opposition



member being critical for criticism's sake, but as a responsible member of provincial Parliament. We need to know what protective measures we can rely on. We need to know this, and this is an urgent aspect of what we are discussing here today. RFID technology does not encrypt or otherwise protect the unique identifying number assigned to the holder of the so-called licence or card and would not protect any other personal information stored on the RFID.

Now, let me elaborate on this a little bit. It's not unlike every single cellphone. Every cellphone transmits a unique number called an electronic serial number. With the right receiver, criminals capture—and this happens all the time—and clone these numbers. Then they clone the phones, and then they ring up bills on the rightful phone owner's account. To extrapolate from that, my licence in the wrong hands gets a criminal across the border potentially, and American computers now have information saying I'm in Buffalo, when I'm not. The phone thing has happened to me. I've been called by my supplier at one time or another and I have been asked, "Were you in Dallas yesterday, Mr. Shurman? And by the way, did you fly from there to Miami?" The answer was, "No, I was in Toronto all day yesterday." "Well, that's interesting, because your telephone registers calls in both Dallas and Miami."

It sounds like I'm digressing; I am not. This is the same concern that I have. Once you transmit numerical information that is unique to an individual—in this case a cellphone; in the case of the bill, one of the new electronic cards—that information going through the air and captured on the right machine can have devastating consequences in the wrong hands, and it's the wrong hands that I worry about.

The combined photo card will meet the applicable rules set out by the United States' western hemisphere travel initiative. These rules are expected to severely limit the types of documentation that will be acceptable for entry into the United States. That's a salient aspect as well.

I happen to have a passport. I am willing to bet that 90%, maybe more, of members of this House have a passport, but it would be interesting to note that the majority of Canadians do not have passports. The majority of Canadians have no need for passports, or up to now have had no need for passports, and given the fact that in the next year there will be a requirement to have a passport or some acceptable documentation that has yet to be defined—maybe this card—but hasn't been accepted by the United States, you'll need a passport to get into the United States as of, I believe, June 2009. For most Canadians who don't have them, it would require them to go out and spend a significant sum of money, and even passports, as I understand it, are under review. So there are an awful lot of implications to just saying, "We're going to have an electronic card," not least of which is the fact that although the main individual involved with national security, Michael Chertoff—I believe his title is Secretary of the United States Depart-

ment of Homeland Security—has said, "Yes, we think this is a good idea," and although this initiative has been test-marketed in British Columbia and is being looked at by a number of our neighbouring provinces, there is no protocol in place as yet that says, "Yes, we, the United States, will accept your card."

**1020**

Another concern that I want to put on the record is that, unless and until the United States says, "We are prepared to accept the card in place of a passport," why would we want to spend millions and millions of dollars to create this new card? Let's make sure that we have our bases covered.

Finally, and I only have a short time left—less than a minute—I'd like to use this opportunity to address, because this is a transportation bill, the issue that has been raised in a number of other presentations by my fellow members, and that is the use of our roads for tourism. Tourism at this point is something we'll see sadly lacking this summer because people from outside and inside the province are facing the prospect of gas that may rise as high as \$1.50 a litre.

We've presented an initiative from this side that would involve relieving people of sales tax payments at the tourism level—we're talking about hotels, shows and so forth—and I would hope that going forward, before we recess for the summer, the government considers either that or some variation on that theme.

**The Acting Speaker (Mr. Jim Wilson):** Questions and/or comments?

**Mr. Bob Delaney:** It is a pleasure to follow a very thoughtful and informed commentary by my colleague from Thornhill, who held up his driver's licence and noted that it has just been changed and it will likely change again. I also noted that he ran a call centre. I hope it's not he who's been calling me every night at dinner-time. He also pointed out that he's worked with Oracle, SQL Server and probably through the evolution of several generations of operating systems on which those applications ran. He also says—and here's a little inconsistency that I'd like to address. He asks for absolute certainty and says—and I'll use his words—"We will only have one shot to get this right." Well, change will be a constant. The public, the police and the law will continue to wage war against those who would use your identity to steal your life and steal your savings so that they can steal more of your money and that of others.

We are going to have to cope with the evolution of standards, with the change in technology, with the increasing and sophisticated risk of fraud and with evolving security standards and changing practices in how we use ID documents. That means that regardless of what change and what card system we put into place, it, like the currency we carry in our wallets, will change.

As an example of change I'd like to use, in closing, the words of the late Gus Grissom, who said of space flight, just a short time before he burned to death in a pre-launch training accident in 1967, "There's always a chance for a catastrophic accident or a failure. It can hap-



pen on the first mission as well as the last. But you can't let that paralyze you. You get a good crew, you train them well and you go fly." I think that that is very much typical of the approach that this bill takes in a core piece of ID.

**Mr. Ernie Hardeman:** I want to commend my colleague from Thornhill for a great presentation on Bill 85. Obviously, it's quite evident that he understands the legislation: not only the need for it, but the things that are needed to make it work.

Bringing up a point that I think is maybe not part of the bill—in fact, it isn't in the bill—we have to make sure that at the end of the process the reason it was instituted will actually work. If we don't have the commitment of the jurisdictions around us—if you go to all this expense and you create this identification card, you need to know that it will be accepted as identification to travel across the border. I think we need to do whatever we can to make sure we can expediently cross the border, but if this legislation doesn't create that which is needed, then it's all to no avail.

He spoke about the different types of cards. I did have some requests from my local people not too long ago that suggested we should have something in place where you could actually go to the licence office and, if you didn't have a driver's licence, you could get the same identification that you could use. There are people in our province who don't drive and have no need for a driver's licence, but they would like to be able to have identification that way. But if you then include all the information that's required to get a passport to get that same identification card, then we're not solving the problem, because obviously they could go out and get the passport too. So if this isn't going to make it any easier to get than a passport, they might as well get a passport.

But having said that, if we have one that's a combined driver's licence with that information—and I think, even if we didn't need it, there's no reason why that type of information couldn't be on your driver's licence—why do we need a basic photo card, if we have an enhanced photo card? Why would you need two if one will do the job?

**Mr. Khalil Ramal:** I want to commend the member for Thornhill for speaking in detail and voicing his concern about many different aspects.

He spoke about security. I think security is very important to all of us. I don't think the passport is more secure than the card we're going to issue. I think it's very important to create some kind of security mechanism for all the people across the province of Ontario, and across North America, as a matter of fact.

He also spoke about cloning, taking the numbers of cellphones and using them from different parts of the world. It's a very legitimate concern. But, sir, whatever we do in this life, the criminal also has ways and access to technology. They can access it and clone everything. They cloned a human being this time. They can imitate us. They can clone me and clone anyone they want.

I think it's important to raise issues. He also raised the very important issue of talking to the United States about whether they are accepting this card or not. I think the minister and the government of Ontario are not going to issue a card that costs millions of dollars to the people of Ontario without consultation with our neighbouring states to see if they will accept that card or not. I think his concern is legitimate. Hopefully, when we go more in debate and also in the committee, we can figure out a way and all the possibilities to tighten this bill and make it perfect, because, as he mentioned, we cannot jeopardize our security.

Also, we have the first hit. If we don't make it on the first hit, I guess our image would be tarnished. I think it's very important to create a good first impression to all the people, to tell them, "Yes, we are concerned about this issue and we want to create something good for all the people and to a certain degree very secure," that's good for the people and also gives them the chance if they want it or they don't want it.

**Mr. Robert Bailey:** I'd also like to add my remarks today to the debate on Bill 85. It's important to my riding of Sarnia-Lambton, being a major tourist area and having a major border crossing there as well. There are a number of Sarnia-Lambton residents who cross the border to our neighbouring jurisdictions and vice versa. We have many tourist attractions there, and also international trade; thousands and thousands of vehicles every day cross that border. So anything we can do to make it easier for our residents of Ontario to do that, and to contribute to security since 9/11, will certainly also be important.

I'd like to commend the member for Thornhill on his remarks. I heard the bulk of it in my office before I came down here and I heard the rest of it as he concluded. I think he made a number of very erudite remarks and points about the legislation, about the security and access to information that will be available in these. I've got a passport as well, but I'm sure I don't have nearly as many stamps on mine as the honourable member from Thornhill. I know he's a world traveller and knows about such things as security and travelling because he's done a lot of travelling around the world, in many different jurisdictions.

1030

I would like to just repeat some of the remarks that other members made on our side of the House and on the government side as well. I support it for all those reasons, with the provisions and issues of security and access to information that the honourable member from Thornhill expressed, as well as a number of other members from the government. At this time I would just like to say that we'll be supporting this bill at the time it comes to a vote.

**The Acting Speaker (Mr. Jim Wilson):** The member from Thornhill has up to two minutes to respond.

**Mr. Peter Shurman:** Thank you to the various members from all sides of the House who have responded to what I had to say.

Let me make some specific comments. With regard to the points raised by the member from Mississauga—



Streetsville, just an admonition to my friend: Don't be so abject in accepting change as a constant. I know that change is the only constant in the world, but "Always do your best" is what I'd say. That being said, thank you for the support, because I think in essence we're on the same side of the security issue.

My friend the member from Oxford expressed concerns about the whole thing working and being accepted, which was a grand echo of my main points. There is a cost that is attached to the acquisition of a passport, and it is a significant cost for most Canadians. We have heard, although we don't know in great specifics, that there is a cost that will ultimately be attached to the obtaining of this licence. There's also a cost attached to the obtaining of a current driver's licence. So one way or another, we've got to figure out what it is in summary that Ontarians are going to pay to get some kind of card that gets us onto the roads and across borders.

To the member from London—Fanshawe: The security concerns raised were very similar to those raised by the member from Mississauga—Streetsville, and again I'm more in agreement than disagreement insofar as the use of chip technology and trying to be as secure as possible.

Finally, to my good friend on my left from Sarnia—Lambton, who talks passionately about the tourism and trade aspects that very much affect our commerce here in Ontario and notably in his riding, let me assure him that, no, I don't have that many stamps on my passport. With the cost of travel being what it is, it's hard to get around these days.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mrs. Carol Mitchell:** I welcome the opportunity to stand and speak to Bill 85. I want to say right from the outset that I will be supporting Bill 85.

I'd like to set the record straight, as it were, that passage of this legislation will allow for the creation of a passport alternative. It says that in all things, when one starts a journey, one must take a first step towards the common goals. To me the common goals, certainly in my mind, are to allow for not only the free travel movement of the people of Ontario but also for goods moving around as well.

Many members in the House know how important tourism is to a riding like Huron—Bruce. Certainly agriculture and energy are the two economic drivers, but I can tell you that tourism follows closely on their heels. We also have what I would call a fully mature tourism industry within the riding of Huron—Bruce. We have seen a number of Americans who have chosen to make their summer homes in the riding of Huron—Bruce, along beautiful Lake Huron. I know the Speaker knows all about what I speak of.

I see this as something that the people of Ontario have certainly asked for. When we think about what happened on 9/11, we know that the world changed. How people think of their security and ensuring that they are secure—everyone's vision of that changed on that day. I can recall, as I know we all can, those who are old enough to

remember, what we were doing on the day that it happened. I just wanted to share with the House my story. When 9/11 happened, I was warden of the county and we were sitting in committee and we had been for a number of hours. We received a call from one of our engineers that one of the planes had just hit the first building. So we decided to bring in a TV and watch. I don't think there will ever be a day in my life that I remember quite as clearly as that day—the horror that one felt seeing the devastation in New York City. Really, your sense of what you always thought to be secure—certainly we had a significant shift in our minds in how we perceived our security. You simply could not believe that it could happen. I know that in many countries that have experienced war on their own lands this is something they have experienced over the years, but in North America we had never had anything like that happen before. So we knew from that day going forward that things would change, and they certainly have changed.

But what we must always ensure is that we have, as in all things, a balance. We must ensure that our people have a sense of security while also not creating barriers for the movement of our goods and people, because then we have lost a sense of our economy as well.

One of the facets that I believe will meet the needs of the people of Ontario is that the MTO is proposing four separate products, the first product being a regular driver's licence, which is what we're used to, but with more enhanced security; also an enhanced driver's licence; and a photo card for non-drivers.

I have received over the years a number of letters and calls from my constituents specifically with this concern. The composition of my riding has more seniors, and this is something that has been of concern to them. They no longer have a valid driver's licence, but they know that in today's world you need some type of photo ID. When the driver's licence is gone from their personal belongings, they really don't have any photo ID left. It's my seniors and those in that 16-to-19 range as well, if they don't go with their driver's licence. Even travelling throughout Canada, and the United States as well, one often needs some type of photo ID that can be accepted, not only for banking.

I'm very pleased about this photo card for non-drivers. The Ministry of Transportation has recognized that as a concern of the people of Ontario and it is bringing it forward in these very comprehensive adjustments being made through Bill 85 that speak to that, and also an enhanced photo card for non-drivers.

I'm running out of time and I wanted to give other members the opportunity to speak. But I wanted to get on the record that there is a cost to implement this system. I understand that. But a system going forward that will allow four alternatives to passports I feel is a very significant movement. I want to get on the record as well that there is also a cost for doing nothing.

We recognize that in order to allow for movement, we must begin a much more enhanced program. This comprehensive Bill 85 recognizes that and it will also be



addressing other concerns from our seniors and our young people in bringing forward photo cards for non-drivers. That is why I wanted to take this opportunity to stand in this House and speak to my support for Bill 85. I do thank you for the opportunity to speak and I look forward to the next member's opportunity.

1040

**The Acting Speaker (Mr. Jim Wilson):** Questions and/or comments?

**Ms. Laurie Scott:** I'm pleased to join in comments once again this morning on Bill 85, the Photo Card Act. The many comments that we've received this morning from members—it's about this enhanced driver's licence card that would provide citizenship information.

Obviously, we understand that this is all coming from the occurrence of 9/11, the importance of having proper documentation, to protect—in this case, the US is demanding that they have proper identification that they would accept before entering their country.

It's a huge impact financially, we've heard, on our province and tourism. People go back and forth, but not as much as we'd like to. Some people don't have passports. Up to four million people don't have a valid driver's licence. That's the card that most people use when going across, with their birth certificate etc. I'm sure everyone's crossed the border at one point or another.

So we're happy that the government is bringing in the Photo Card Act. We're a little concerned about details and privacy. We just had the member from Thornhill tell us about the new driver's licence that was brought in just a year ago. So we've spent a lot of money bringing in this new driver's licence. Now it's changing again. The fact that this is going to be three new cards—the combined photo card, the basic photo card, the enhanced photo card—is a little confusing for some people. These are details that we need to flush out.

The important part of this legislation is that we need to keep and enhance that flow of cross-border traffic, whether it be tourism, business etc. I've mentioned many times that tourism is certainly critical in my area of Haliburton-Kawartha Lakes-Brock. I hope the auto industry continues to be a critical part of our economic stimulus that we have in Haliburton-Kawartha Lakes-Brock, and that's part of this too.

**Mr. Norm Miller:** I'm pleased to add some comments to the member from Huron-Bruce's speech on Bill 85, the Photo Card Act, 2008. I might point out that our lead on this—our transportation critic, the member from Newmarket-Aurora—has yet to deliver his lead, which is the hour-long leadoff speech. We'll look forward to his speech because I'm sure he will have done a lot of research on it and may have thought of things that we haven't thought of.

Basically, our caucus is in general support of this bill. There are concerns to do with privacy that have been raised by privacy commissioners, but certainly the need to keep border traffic moving across the border is vitally important to our economy.

There have been some concerns raised, like why did the government just introduce a new enhanced driver's licence within the past year and now it's proposing this? Does that mean we just changed the whole driver's licence for a year or two? This is supposed to be implemented in June 2009, so I would question whether the money was well spent on the driver's licence which has just been announced.

I think there are some valid concerns about why we need three cards—the combined photo card, the basic photo card and an enhanced photo card. Could it not be done as one card? I would think, why would someone want to get a basic card which doesn't have the enhanced information? So then they go to cross the border and it's not sufficient; it doesn't meet the criteria of the United States western hemisphere travel initiative to actually be able to get across the border. I'd certainly like an explanation from the government as to why they're proposing that.

As I've stated before, we need to also address tourism concerns this summer to address what I think is going to be a very challenging year in tourism in Ontario.

**Mr. Ernie Hardeman:** I too want to commend the member from Huron-Bruce for an explanation on the bill. I would agree with her, when she started off first of all by saying that she was going to support the bill.

I think I can almost say the same thing. I do believe it's very important that we bring forward a plan to deal with the border crossing, because when the Americans decide that we have to have this information to get across and all of a sudden all the people in Ontario who don't have a passport can't get across, it's going to be quite detrimental to our tourist industry and so forth. So I support her on that.

I agree that we have to take the first step, but I think it's very important that we also have an idea that that step is going in the right direction. I understand from some of the notes that in fact we have some commitment from homeland security that they would accept something of this nature to get across the border, but I would hope that the government is working on making sure that what is being proposed will in fact be accepted. As with the driver's licence just having been implemented a year ago, it's somewhat concerning to think that we would go through all the cost and the implementation of something that at the end of the day will not be accepted. So it's really important that the government look at making sure that it will be accepted identification for homeland security before we go to all the expense of putting that in place.

But I would agree with the presentation and thank her for the information that was provided.

**The Speaker (Hon. Steve Peters):** Questions and comments? The member for Huron-Bruce has two minutes to respond.

**Mrs. Carol Mitchell:** I do want to thank all of the members who responded to my comments. Certainly, what I'm hearing is that there is a great deal of support for this bill. We understand that there are some out-



standing concerns, but quite frankly, we agree on the path forward; it's just what that path will look like.

I certainly know that the members from across the way have heard from their constituents about the photo ID as well. We know that will address the concerns of many of our constituents who do not have photo ID without a driver's licence.

I welcome quick passage of the bill, and I thank all the members for their comments. We certainly, from this side of the House, do appreciate all your support.

**The Speaker (Hon. Steve Peters):** The time for debate has ended.

*Second reading debate deemed adjourned.*

## INTRODUCTION OF VISITORS

**The Speaker (Hon. Steve Peters):** I'd like to take this opportunity to introduce a number of guests to the Legislature today.

On behalf of the member for Hamilton East–Stoney Creek, in the west members' gallery, Catherine Dunne.

On behalf of the member for Simcoe–Grey, in the west members' gallery, Aaron Hunt from Tottenham.

On behalf of the member from Whitby–Oshawa, on behalf of page Hisham Mohammad, in the west members' gallery, Fahmida Banu, his mother; Ilyas Mohammad, his father; Faizah Ilyas, his sister; and Ismath Unissa, his grandmother.

On behalf of page Rachelle Lassaline, in the west members' gallery, her mother, Darlene Lassaline; her father, Chuck; and her sister Ella.

On behalf of the member from Scarborough–Agin-court, the grade 5 class from Our Lady of the Rosary Catholic school in Concord and their teacher, Joe Bush.

On behalf of the member for Toronto–Danforth, seated in the Speaker's gallery, His Worship, the mayor of St. Thomas, Cliff Barwick; Catherine Naismith, president of the Architectural Conservancy of Ontario; Suzanne Van Bommel and Dawn Doty, on behalf of Alma College; and Grant Head and Brenda Head from Hamilton.

I'd like to welcome all of our guests to the chamber today.

## ORAL QUESTIONS

### APPRENTICESHIP TRAINING

**Mr. Robert W. Runciman:** My question is to the Deputy Premier. The International Union of Operating Engineers, Local 793, received \$5 million in grants from the McGuinty Liberals between June 2007 and January 2008. That's five million taxpayers' dollars in just seven months. According to Local 793, that \$5 million was 10 times more than any other grant in the skills training infrastructure program. Deputy Premier, who in your

government was responsible for giving Local 793 such a sweet deal?

**Hon. George Smitherman:** To the Minister of Training, Colleges and Universities.

1050

**Hon. John Milloy:** I've been very proud of our government's initiatives when it comes to training apprentices here in this province. As members may be aware, there are a number of different training agencies and community colleges. We have employer training. We also have employer-union training operations in place.

A number of years ago there was a \$25-million program announced by my predecessor, Minister Bentley. There was a request for proposals that went out to union training centres, union-employer training centres, employer training centres. This was an open and transparent process, and I'm very pleased that we were able to assist a number of these training centres in upgrading their equipment and allowing them to provide better training through a system of apprentices across this province. I'm very pleased that we have 50,000 more apprentices in this province and that we're doing our best to ensure that we see more registrants and more entrants into the skilled trades.

**Mr. Robert W. Runciman:** There's nothing much open and transparent about any of this government's transactions. The minister doesn't explain why this one particular union local received 20% of the funding from this one skills training program. Could it be because Local 793 donated \$150,000 to the Working Families Coalition?

**The Speaker (Hon. Steve Peters):** I ask the member to withdraw that comment. Imputing motives is not parliamentary.

**Mr. Robert W. Runciman:** That's an unbelievable decision on your part. God, we can't even ask a legitimate question about where taxpayers' money is going? I am not withdrawing, Speaker.

**Mr. Tim Hudak:** On a point of order, Mr. Speaker: I appreciate the time that you have spent in the chair. I think you'll recall as a member of the assembly on both sides of the House that this type of question is very typical here in the Ontario Legislative Assembly. All parties have asked this question in the past. I do believe that previous Speakers' rulings have found this question very much in order and I think a very valid point by the member for Leeds–Grenville about how campaign donations have been allocated in the province of Ontario.

**The Speaker (Hon. Steve Peters):** I will take it under advisement.

The Leader of the Opposition.

**Mr. Robert W. Runciman:** I go back to the minister again. Could it be because Gary O'Neill, the business manager of Local 793, was one of the principals of Working Families? I go back to the minister: Why is it that Local 793 is so special that it gets \$5 million and the remaining \$20 million is divided up amongst more than 50 other grant recipients?



**Hon. John Milloy:** This is quite frankly outrageous. If the honourable member has some proof that he wants to put forward, he should bring it forward. We announced the program. We had a competitive call for bids. It was an open and transparent process which was administered by the public service. There were set criteria that I would be happy to share with the member. Decisions were made based on that by the public service. You cannot stand in this House and impugn the reputation of any individual or organization without facts the way he just has. The member should apologize; if not, the member should produce some proof. Say it outside the House.

**Mr. Robert W. Runciman:** Given this government's record of responsibility with taxpayers' dollars, I think we have every legitimate right to raise these issues. Five million dollars in seven short months—one could suggest that's a pretty good return on a \$150,000 investment. Gerry Hughes, who's the executive director of Local 793, puts it even better. This is from Local 793's newsletter. He says, "Incredible! We must be doing something right."

"We all owe huge thanks to business manager Mike Gallagher and his team for their successful lobbying work with the provincial government. Their effort paid off in spades and the 'return on investment' has been phenomenal, something like 5,000%." He's a little off; it's more like 3,333%. Minister, who else got such a great return on their investment, or was it just open to the donors behind Working Families?

**Hon. John Milloy:** I find it outrageous, coming from a party which did nothing to train apprentices, that they would stand up here and knock a system which has produced 50,000 more apprentices in our province.

The honourable member says, "Who else benefited from it?" Maybe he should look around at his fellow caucus members: How about the member from Kitchener-Waterloo, who received money for the Waterloo training centre to expand their ability to train brick and stone masons; the member from Burlington—\$627,000 to train construction boilermakers and millwrights; the member from Oshawa, whose riding received money for the Oshawa training centre; and the member from Sarnia—\$100,000 to expand the ability to train carpenters?

We need more skilled trades in this province. We have a system of union, union-employer and employer training centres, and I am proud that our government was able to support them in their important work through this fund.

#### ONTARIO ECONOMY

**Mr. Tim Hudak:** A question to the Minister of Finance: To the best of your knowledge, is Ontario now in a recession?

**Hon. Dwight Duncan:** The consensus estimate among the 12 economists whom we routinely consult with says that in spite of the challenges in our economy, the rate of growth today is about 0.9%; it's a very modest rate of growth.

What we need is a federal government that wakes up and understands the importance of the Ontario economy.

We finally heard the federal Minister of Finance yesterday saying that they ought to help the automotive industry. You ought to talk to them and ask why they trashed this province, why Jim Flaherty would run Ontario into the ground.

This government's invested \$1.5 billion in training, which they voted against. In spite of the challenges in the economy, we believe that there will be growth in the economy this year. It will be modest, as we've indicated, and we will continue to monitor it very carefully and make the kinds of investments that that member and—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Tim Hudak:** I find it passing strange that the finance minister refuses to answer directly a "yes" or "no" question—whether Ontario is currently in a state of recession. I think the finance minister has information at his hand as he prepares his upcoming reports. I'd ask him to share that data immediately with the Legislature.

Those who know that there's a Dalton McGuinty recession in the province of Ontario are the 2,600 GM workers who have permanently lost their jobs in Oshawa; it is the 200 workers at Hallmark in Toronto who just found that they've permanently lost their jobs; it is half the workforce at Lafarge in Oxford county who've just found out they've lost their jobs in Dalton McGuinty's Ontario as part of the Dalton McGuinty recession.

I know the finance minister is anxious to recess this Legislature for the summer because he knows that bad news keeps coming about Dalton McGuinty's mismanagement of the economy. Before we recess, Finance Minister, will you table a mini-budget to state the updated finances of the province of Ontario?

**Hon. Dwight Duncan:** Whenever an Ontarian loses a job, this government is concerned. That's why we invested in GM—and you voted against it; that member voted against it. That's why this government has worked with the CAW and with all companies across Ontario to help ensure that we can overcome the challenge of a dollar that's above par, of oil that's in the vicinity of \$120, of the state of the US economy—all factors that all economists have cited.

There are challenges, no question, but there's also news the member didn't talk about. He didn't talk about 100,000 net new high-paying jobs in Ontario in the last year. He didn't talk about the fact that unemployment this year is lower than it was at this time last year. He didn't talk about the fact that when he left office the unemployment rate was 7%; today, it's 6.3%. We'll be there for the unemployed in this province, unlike—

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary?

**Mr. Tim Hudak:** No doubt the 200,000 families who are now without well-paying manufacturing jobs are deeply grateful that the finance minister is concerned. Do you know what they want, Finance Minister? They want to see some action. They want to see a plan. They want to see you turn this economy around and get us out of the Dalton McGuinty recession.



In your own budget you predicted GDP growth of 1.1%; Toronto Dominion says that it is barely half that, crawling at 0.5% at best. You predicted in your budget that oil would be \$85 a barrel; today it hovers around \$125 a barrel. You projected a retail sales rate of 3.4%; TD says that it is barely half that.

Finance Minister, your projections have as much bearing in reality as your campaign promises do. I ask you one last time, given the ongoing layoffs in the province of Ontario, given the impacts of the Dalton McGuinty recession on working families, will you rise in your place before we recess for the summer—

**The Speaker (Hon. Steve Peters):** Thank you. Minister.

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**Hon. Dwight Duncan:** There's no doubt that there are challenges, but the member forgets some other statistics that are actually performing better than they were: retail sales up 5.5% ahead of what we projected; wages up 5.1%; housing starts up 18.9%.

This government and this party are standing behind those people who are facing the challenges of this economy. This government has stood up and done that.

One thing we do need is fairness in employment insurance. One of those GM workers in Oshawa will get \$4,000 a year less in employment insurance benefits than a worker in other parts of the country.

As long as there are challenges in the economy, this government will continue to stand up with those families and communities that are suffering. We only wish that party and the federal government would stand with those people and with this government.

## AUTOMOTIVE INDUSTRY

**Mr. Howard Hampton:** My question is for the Deputy Premier. About two and a half years ago, with much fanfare, the McGuinty government announced a \$235-million investment in General Motors in Oshawa. In February of this year, General Motors unveiled their new fuel-efficient hybrid-powered Sierra pickup truck and announced it would go into production this fall. This is exactly the kind of next-generation, fuel-efficient, hybrid-powered pickup truck that should be built in Ontario by Ontario workers, but it's not going to be.

My question is this: How could the McGuinty government give General Motors \$235 million of the people's money and not get a guarantee that this vehicle would be built in Oshawa by workers from Oshawa?

**Hon. George Smitherman:** To the Minister of Economic Development and Trade.

**Hon. Sandra Pupatello:** There is no question that what Ontario is looking for are companies to invest in the future products that the whole world will want. Yes, that does include hybrid trucks, and yes, our discussion with General Motors is and was, all of last week and for several days now—any opportunity that we will have with General Motors, with Toyota, with Honda, with Chrysler, with Ford, with any of our new automotive

companies yet to invest in Ontario, we do want the next generation of automobile to be built in Ontario.

That is why we've launched a \$1.15-billion Next Generation of Jobs Fund. When this fund begins to roll out, as it already has with other sectors, I would look to this member to support the fund, to support our ability to go out and chase investments, to bring them right here to Ontario.

**Mr. Howard Hampton:** There are some things that are passing strange here.

I want to quote one Dalton McGuinty, May 7, from the Hansard of this place, the assembly: "GM has chosen to make its first-ever hybrid truck in Ontario."

Dalton McGuinty, May 13, here, in this Legislature: "We've learned recently that GM is going to produce its first-ever hybrid truck in North America here in Ontario."

But there's another story that the workers in Oshawa tell. Yes, all of the technology, the development, for this new fuel-efficient truck was done in Oshawa by Oshawa workers. Yes, the McGuinty government handed over \$235 million. But the Oshawa workers say it's not going to be built in Oshawa; it's going to be built somewhere else.

So tell us, how can the Premier be promising one thing, handing over \$235 million—the workers do the work, but the—

**The Speaker (Hon. Steve Peters):** Thank you. Minister.

**Hon. Sandra Pupatello:** I think we should be clear here about the kind of investment that General Motors has made in Ontario. The largest single investment by an automotive company in Canada is in fact the Beacon project. That was a \$2.5-billion program. Where did it come? It came to Ontario. Why did it come? It came because of our automotive investment strategy. And let me say this: All of the developments at the Oshawa car plants are a direct result of that.

The very fact that we have a flex line that is going to allow General Motors to change their products as consumer demand is changing—which is very obvious to many of us today. We know that there are other parts that are very challenging. We also know that we plant our flag in the automotive sector as a very strong component of Ontario's manufacturing sector, and we will continue to do that.

**Mr. Howard Hampton:** I heard lots of words, but no answer to the question. Those workers in Oshawa did the engineering and development work. They built the hybrid that was unveiled in Chicago in February. Some of the \$235 million the McGuinty government gave to General Motors was used to do that development work. But the workers in Oshawa know that this truck is going to Mexico.

So I ask again, how could the McGuinty government give \$235 million to GM? How could the Premier go around the province saying this truck is going to be built in Ontario? We find out today you had no job guarantees, no product guarantees; it's going to Mexico. How could



the McGuinty government be so incompetent as to allow that to happen?

**Hon. Sandra Pupatello:** I think we should be clear here. If there is more than one partner that we have had in the automotive sector, it's been the workers who work in the automotive sector. That is not what I can say about this particular member of the House. I would ask this particular member, when is the last time you talked to the leader of the CAW and asked him his view of the Ontario government's role in developing investments in the automotive sector? I would just ask him that question.

If there has been a government that has been on the side of workers in automotive, it has been this government, the likes of which the CAW has never seen. I will say today that we are on the side of workers. We want all of the investments to be in Ontario and we will continue to fight to see that that happens, unlike this member, who continues to vote against every single initiative that comes forward to help the very sector that he purports—

**The Speaker (Hon. Steve Peters):** Thank you. New question? The leader of the third party.

#### AUTOMOTIVE INDUSTRY

**Mr. Howard Hampton:** To the Acting Premier: I actually went out and met with some of those workers in Oshawa yesterday who are going to be losing their jobs, thanks to the incompetence of the McGuinty government.

I still have not heard an answer. The Oshawa workers know what's going on. Two hundred and thirty-five million dollars of the people's money went from the McGuinty government to General Motors. The Premier, in this House and across Ontario, goes around saying, "Oh, the new, fuel-efficient, next-generation-hybrid Sierra pickup truck is going to be built in Oshawa." The workers there do all the development work, but guess what? The McGuinty government didn't get any job or product guarantees, so the truck is going to Mexico. I ask again, how could any government be so incompetent as to allow that to happen?

**Hon. George Smitherman:** To the Minister of Economic Development and Trade.

**Hon. Sandra Pupatello:** I think that we have to point the finger at a couple of parties in this House that have refused to support the automotive sector. We stepped forward with an automotive investment strategy and we asked every member in this House to support Ford, to support Chrysler, to support General Motors, to support Toyota, to support Honda. On every single front, your answer was no, no, no, no, and no.

The result today is that we have more investment that has come to this jurisdiction than any other jurisdiction in North America.

Does this sector face challenges? We are the first to understand that it is undergoing some dramatic shifting. The reality is that we want our workers working in our plants. We will continue to fight to see that that happens, more so than any other jurisdiction on this continent.

**Mr. Howard Hampton:** What is so unbelievable about this is that 2,600 workers, who just won an award yesterday—the Oshawa truck plant, tops in the group in efficiency and quality—the workers who developed the very truck that was put on display in Chicago by General Motors, the very workers who have won all these awards for efficiency and quality, have been sold out by the McGuinty government.

You gave \$235 million to General Motors and you got no product guarantee and no jobs guarantee. Those workers want to know: What are you going to do now? What are you going to do to ensure that that \$235 million, those jobs, that next-generation truck, stays in Oshawa? Are you going to stand up to GM or not?

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**Hon. Sandra Pupatello:** I think we've made our position more than clear: Not only will we stand up for General Motors, we stand up for CAW workers, we stand up for Ford, Chrysler, Toyota, Honda and any world company that wants to bring investment to this province. We will stand up for them because that means good jobs for our families.

We understand the challenges that General Motors faces today. Let me say this: He purports to speak for the CAW; let me ask him if he supports Buzz Hargrove when he says, "We need both levels of government engaged in order to keep our share of future investment and jobs." And, "Without provincial support (including its participation in GM's Beacon project), the situation facing the industry today would be far, far worse." Do you agree with Buzz Hargrove? Do you agree with that statement?

**Mr. Howard Hampton:** I think Mr. Hargrove will have his own questions he'll have to answer, and he'll have to answer them someplace. But I'd like to get an answer from the McGuinty government. Here is the reality: There's \$235 million of Ontario money that went into the GM plant in Oshawa, there's \$200 million of federal money that went into the General Motors plant in Oshawa, and the development work was done on the truck. I don't disagree with making those investments, but I think if you're going to make those investments, you should get job guarantees and product guarantees. What is the McGuinty government going to do to force General Motors to live up to the obligation? They've got the money; the truck was developed in Oshawa. Are you going to force them to produce that truck in Oshawa and sustain Ontario jobs?

**Hon. Sandra Pupatello:** Let me say this again: We understand that the Beacon project that we've participated in did not include the truck product. What we were very heartened to see is the innovation that exists at General Motors, at their engineering centre right here in Oshawa, one of their best engineering centres in world-wide GM, they have the capability to develop the hybrid truck. We want that production in Ontario. We want it to stay here. The fact that it's moving, the fact that we understand the challenges in the industry and what it's



facing today—we will continue to work with General Motors and with the CAW.

We recognize those challenges and we want them to be strong. We understand that our workers today are facing serious challenges. So let me say once again, when it comes time to vote, to put your money where your mouth is, will you stand with the CAW workers or will you stand—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### ROAD SAFETY

**Mr. Robert W. Runciman:** My question is to the Attorney General. Yesterday, through our transportation critic, Frank Klees, we heard that the driver responsible for David Virgoe's death because of street racing was sentenced to two years of house arrest.

When this Legislature passed its own street racing legislation, we sent a clear message to the public and the courts that the province was going to crack down on this criminal activity with a heavy hand. The leniency of the sentence handed down to the individual responsible for David Virgoe's death is an insult to the will and intent expressed by this House and the people of Ontario. Minister, what are you going to do to ensure that the message sent by this House is heard loud and clear in our courtrooms?

**Hon. Christopher Bentley:** As the member, who is a former Solicitor General, knows, first of all, we prosecuted this case to the full extent of the law. We made submissions in court. Those submissions were not accepted in court. A judge made an independent decision. We are obtaining and awaiting the report of the trial crown before we decide on the appeal issue.

Our government has made it clear, both with provincial legislation and in prosecuting federal legislation, which this is, that we take these matters very seriously. We prosecute them to the full extent of the law. We take a strong position in favour of public safety on these and all matters at all times.

**Mr. Robert W. Runciman:** I appreciate the Attorney General's comments, but waiting for a possible appeal to wind its way through the courts will not send a clear message to the hotshot speeders who are going to take to our highways this summer that street racing is a one-way ticket, and should be a one-way ticket, to jail.

Debbie Virgoe, David Virgoe's widow, is in the House today, and I would ask you to tell her that her husband's death will not be in vain.

Attorney General, will your government provide unanimous consent to a resolution calling on the federal government to impose a mandatory minimum jail sentence for deaths caused by street racing? Will you do that?

**Hon. Christopher Bentley:** To the widow and to the family, our hearts go out for a terrible loss in a terrible case. There is nothing we can say that will change that loss.

We have been clear in this House—on all sides—in our courts, through the prosecutors, and in the position that we have taken publicly through the media that we will take a tough stand on any form of driving offence, whether it's under federal legislation or under provincial legislation. We will continue to take that tough stand. We took it in this case and we will continue, whether it's under federal or provincial legislation.

### MANUFACTURING JOBS

**Mr. Paul Miller:** My question is to the Acting Premier. It's not just about auto jobs moving to Mexico. The Hallmark Canada production facility in North York closed its doors Wednesday, putting 200 more manufacturing workers on the street. Announcements like these seem to be an everyday reality in the Dalton McGuinty government. What is the Premier going to do now: send Hallmark a sympathy card? When will this government admit that its jobs plan isn't worth the paper it's printed on?

**Hon. George Smitherman:** To the Minister of Economic Development and Trade.

**Hon. Sandra Pupatello:** What this government recognized some time ago is that we need all hands on deck when it comes to working with our manufacturing sector. That includes the federal government; that includes every member on all sides of this House.

When budgets are tabled in this very House that speak to things like our skills strategy to reach out to workers who are going to need retraining to work in other areas, we expect full support by all members of this House. And let me be clear: Workers out there who are losing their jobs, individuals who work on those plant floors, who are at Hallmark or at Canac Kitchens, any of those—we feel for those people, and we ask, "How can we help?" That means that when we reach out with our programs, we want to go to them and say, "Every member of the provincial Legislature wants to support a program like this." But we'll watch your voting record very carefully to see how you support the workers that you purport to care for.

**Mr. Paul Miller:** I'd like to thank the minister for keeping an eye on me.

Kind words won't put food on the table. New Democrats put forward Bill 6 and Bill 71 that would protect workers' severance payouts after mass layoffs like the one at Hallmark. The Premier himself said he would review our bill in this House. He said he'd review it. For Hallmark workers, it would mean 20 weeks' notice, better retaining options and two weeks' severance pay for each year of employment.

Since the government is incapable of saving manufacturing jobs, the least it could do is make the lives after layoffs slightly better. Why won't this government pass Bill 6 and Bill 71 immediately to help the people of this province who are in dire need?

**Hon. Sandra Pupatello:** To the Minister of Labour.

**Hon. Brad Duguid:** For the member's information, Ontario is the only province in the country with statutory



severance pay obligations. No other province requires employers to provide statutory severance pay. What the member wants to do with one of his private member's bills is put a tax on the very employers that are providing these jobs for these individuals.

We are leading the country. We are working with other Ministers of Labour across this country and going after Ottawa to ensure that they provide the protections under the Bankruptcy and Insolvency Act that these workers need. We're taking leadership on this issue—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Thank you.

The member from Stoney Creek will come to order, and please be reminded: When you ask a question, please listen to the response.

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### TUITION

**Ms. Sophia Aggelonitis:** My question is directed to the Minister of Training, Colleges and Universities. Hamilton is the proud home of excellent post-secondary education institutions like McMaster University and Mohawk College. In my riding and across the province, post-secondary education tuition fees continue to increase year over year, bringing the average undergraduate tuition fee for a university student to about \$4,500 and the average tuition fee for a regular college program to just over \$1,900.

Minister, what measures are you taking to keep tuition rates from climbing and to ensure Ontario students have access to affordable, quality education?

**Hon. John Milloy:** I want to begin by congratulating the member on her support for post-secondary education, particularly in the Hamilton area. She's joined by my colleague the Minister of Government and Consumer Services in her advocacy for both McMaster and Mohawk.

The member raises a very important point about tuition fees being faced by students. I was very proud that our government, upon entry into office, instituted a two-year tuition freeze in order to bring forth a fair tuition framework under which tuition fees are capped at 5% annually. What this means is that annual increases are limited to about \$100 for almost 85% of college students and \$200 for 70% of university students. The new tuition fee framework fulfills our commitment that for every dollar we ask in tuition to put forward—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Ms. Sophia Aggelonitis:** My question is again to the Minister of Training, Colleges and Universities. McMaster University, Mohawk College and other Ontario post-secondary institutions offer a variety of programs that enhance the skills and training of our students, playing an important role in helping them prepare for the future in the workforce. However, increasing costs mean that programs become unaffordable to some individuals.

As well, once students graduate and begin looking for employment, they're often saddled with student debt.

Minister, I know this government wants to move forward without leaving people behind. Could you tell this House what financial assistance is available to students in my community and across the province to assist in the costs of obtaining a post-secondary education?

**Hon. John Milloy:** I'm very proud, after the horrendous cuts of the previous two governments, that our government came forward with one of the greatest investments in post-secondary education in Ontario's history: \$6.2 billion. Part of that investment was \$1.5 billion specifically aimed at student aid. Through this, we've tripled the number of grants available to students, with one in four, approximately 120,000 in Ontario, now receiving non-repayable grants. We've increased OSAP maximums by 27% for the first time in 12 years, and we've limited the student's annual repayment debt to \$7,000 through the Ontario student opportunity grant program. Additionally, once a student has graduated, we provide debt management measures to students struggling to repay their loans.

I'm pleased with the supports we've offered students, and we're going to continue to work to make sure that finances are never—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### INFECTIOUS DISEASE CONTROL

**Mrs. Elizabeth Witmer:** My question is for the Minister of Health. Yesterday our party introduced an opposition day motion calling for a public inquiry and investigation concerning the deaths in hospitals attributable to *C. difficile*. Regrettably, public confidence in our health system has been shattered as we learn of past and new outbreaks. This week we heard about St. Mike's, and up in Alliston.

I ask the minister today, will you restore public confidence in our health system and support our call for an investigation and a public inquiry to determine what happened and how we can plan for the future to contain outbreaks?

**Hon. George Smitherman:** The future is now, and the proposal of the honourable member is to invite people to stop their work and spend time in inquiry and investigation when all of those knowledgeable in the subject, including the coroner's office, offer us the advice that the information that is required on the part of the health care system to respond appropriately is before us.

Accordingly, our strategy is to act. Dr. Michael Baker will lead these efforts on behalf of the patients in the province of Ontario, and a key part of the strategy will be to offer a dramatic rise in the amount of information that's available to the public in public reporting mechanisms on a wide variety of patient safety indicators. We feel that this is the approach that will allow us to make the most progress the fastest on behalf of the 13 million Ontarians.



**Mrs. Elizabeth Witmer:** The time for action is long overdue. Regrettably, the minister was negligent in his duties, having known about this since 2004. In order to restore public confidence in the health system, which I can tell you has been seriously eroded—and last night there was a meeting at the Burlington hospital where we've had at least 62 people die from C. difficile. People begged for information, transparency; they want to know why their loved ones died, and they want to make sure that it doesn't happen to anybody else.

It is time. These outbreaks occurred throughout the entire province; it is time to restore confidence. I call upon you: Be accountable. Will you support this inquiry, which can go on at the same time as everything else is going on?

**Hon. George Smitherman:** The honourable member pretends that the leadership time of individuals is expandable and isn't watered down when you're asked to do a variety of things at the same time. This is an artificial premise. More to the point, it's the honourable member who seems only now to have awakened to the reality of C. difficile, by the way that she presents information on this issue.

Indeed, the problems in the health care system associated with superbugs are ones that hospitals must grapple with every single day. Only vigilance on the part of those who are in the environment—who are patients, who are visitors, and especially amongst those who work there—can produce the results necessary on behalf of patients.

The honourable member, in the second part of her question, asked about transparency. You see that the response to our plan to bring a wide variety of patient safety information into the public domain has been well received, and some people have said it's too ambitious; but we do it on behalf of patients, because—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### CORRECTIONAL SERVICES

**Mr. Peter Tabuns:** I have a question for the Minister of Correctional Services. On Monday, Minister, I asked about the cruel treatment of Fahim Ahmad, Zakaria Amara and Mohammed Dirie, who have languished in solitary confinement for two years. These three men have never been convicted or tried for anything. You, Minister, responded by saying that it was a matter of federal jurisdiction. In your hand you have the letter from Stockwell Day, federal minister, saying that Minister Bartolucci's ministry has jurisdiction over individuals on remand or awaiting trial or sentencing. Given your jurisdictional authority, why won't you end the cruel treatment of these three men and release them from solitary confinement?

**Hon. Rick Bartolucci:** I want to thank the member for the question, because I think some clarification is necessary. Inmates who are placed in segregation are entitled under law to just and humane treatment and

receive specific services and activities that include the right to daily outdoor exercise; access to legal counsel, services and materials; access to clergy and spiritual advisers; visitation with family members, relatives and friends; and access to telephone services—to mention only a few. Every inmate within the correctional services system is granted those rights if, in fact, they're in segregation.

**Mr. Peter Tabuns:** The answers keep getting a lot more interesting. You have power to end this punitive treatment of these three men. You can follow the standards that have been set out by the Supreme Court, or Corrections Canada, or the United Nations. Can you table a directive or an order that gives you the right to punish these men when they have no reason to be punished through segregation? Will you treat them properly and release them from segregation into the general population?

**Hon. Rick Bartolucci:** First of all, I outlined a few of the rights that people in segregation have. Let me continue with that: They have access to library materials, institutional programs, the opportunity to buy items from institutional canteens with personal funds etc. These people's rights are being respected. We will not interfere with the operational matters of any correctional services, because that would be inappropriate.

*Interjections.*

**Hon. Rick Bartolucci:** They can yell all they want. They may not have confidence in correctional services. We have confidence in the correctional services system.

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### VOLUNTEERS

**Mrs. Liz Sandals:** My question is for the Minister of Citizenship and Immigration. Members of all three parties have been happy to attend Ontario Volunteer Service Award ceremonies in our ridings. Minister, when you joined us for our local ceremony in Kitchener, we recognized volunteers who had served five, 10, even 60 years with the same organization. However, some recent statistics have identified a concerning trend: The number of volunteer hours given each year is increasing but the total number of volunteers is in decline. In my riding, the Volunteer Centre of Guelph/Wellington does a wonderful job of promoting volunteerism. What is your ministry doing to foster volunteerism in the province, and how will this affect my riding of Guelph?

**Hon. Michael Chan:** I want to thank the honourable member for her question. In order to help promote volunteerism and increase the visibility of volunteer opportunities, my ministry has developed unique partnerships with 60 different volunteer organizations. These partnerships promote volunteerism, develop inclusive volunteer opportunities for Ontario's diverse communities and provide a forum for sharing best practices.

Partnerships in small and medium-sized organizations like the Guelph-Wellington volunteer centre help secure volunteers for generations to come. Recently, in con-



junction with National Volunteer Week, I had the privilege of visiting these organizations. I was pleased to see the innovative programs, insightful resources and enthusiastic staff.

**Mrs. Liz Sandals:** I too am very proud of the Guelph-Wellington volunteer centre. They have an exemplary record of matching the skills of volunteers to the organization's needs and of working with local organizations to develop their volunteer capacity. However, the average age of volunteers in Ontario is increasing. In many organizations, seniors do most of the work. We need more young volunteers.

Minister, outside the required 40 hours of volunteerism for high school students, how is your ministry making certain that volunteerism in Ontario is a value that passes down from generation to generation, and that we maintain our volunteer base?

**Hon. Michael Chan:** I understand the member's concern, and let me assure you, the spirit of volunteerism is alive and well in Ontario.

My ministry is working on a partnership project in Kitchener-Waterloo called Engaging Youth from Diverse Ethno-Cultural Communities: A Working Model. This project encourages youth to volunteer within their communities and build leadership skills.

Recently, a youth aged 13 gave this reason to volunteer: "I could inspire other people and teach others how easy it truly is." Simply put, youth are becoming more engaged.

Finally, let me leave you with a quote from another youth who I believe spoke very eloquently, explaining why youth volunteer: "Leaving a legacy for other children and youth to learn and grow from."

### CONSERVATION

**Mr. Tim Hudak:** A question to the minister responsible for the Ontario Realty Corp. Through the Ontario Realty Corp., your ministry will be participating in an open house meeting on June 11 in Stoney Creek to discuss the Eramosa karst. Will the minister direct the ORC to announce at that meeting that the 92 acres of environmentally sensitive land to the east of the Eramosa karst will be permanently protected as part of the Eramosa Karst Conservation Area?

**Hon. David Caplan:** I want to thank the member for the question, because I did have an opportunity to attend and to present the deed, with former member Jennifer Mossop, to the conservation authority to protect the karst.

The member should know that it is early in the process and no decision has been made on the future of the property. The realty corporation is currently studying the lands from a number of perspectives. They've taken on a number of experts around archaeological, environmental, hydrogeological and planning to determine what the future protected lands should be, what the future use should be. In fact, I'm told that Rita Giuliatti, spokesperson for the Friends of the Eramosa Karst, commented on the progress to date, that "she's glad to see the province's

Ontario Realty Corp. is conducting a thorough review of the four properties it owns near the existing 73-hectare park."

**Mr. Tim Hudak:** Minister, the concern is that the 2008-09 provincial budget says the ORC is required to contribute to the \$701 million in sales and rentals for this fiscal year. Stoney Creek residents and others who care about the future of this environmentally sensitive land are very concerned that you will sell off some of that sensitive land in order to meet the budget targets assigned to you by the finance minister.

My colleague from Hamilton East-Stoney Creek, Mr. Miller, and I have both toured the karst. We share those concerns. You have the authority to direct the ORC. You have the ability to build on the good work of former member Brad Clark of the previous PC government and the good work of Jennifer Mossop that you've also continued as minister. Why don't you build on that good work that has involved both our parties and dedicate the remaining lands to be permanently protected as part of the Eramosa Karst Conservation Area?

**Hon. David Caplan:** Nice try, I say to the member opposite. In fact, the member knows that the lands in question are already designated for urban development in the official plan of the city of Hamilton. The Hamilton Conservation Authority and the province have already established very strict environmental criteria for permitting development in this area. That's why the Ontario Realty Corp. has taken the steps that it has—to engage experts on karsts, on hydrogeological features, on archaeology, on conservation and planning—to provide the best advice possible as to which lands need to be protected, as we have done previously with the 73 hectares that we have put in perpetuity through a deed transferred to the local Eramosa Karst Conservation Area. I do acknowledge that there is great interest locally, and that is why—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. New question.

### CONSERVATION

**Mr. Paul Miller:** My question is also to the Minister of Public Infrastructure Renewal. On several occasions I've raised in this House the issue of the Eramosa karst feeder lands. These feeder lands are essential to the life of the Eramosa karst. Any development could cause the feeder water system to dry up, causing the death of the Eramosa caves. This is the best example of the karsts created in Ontario after the last glaciers retreated.

I invite this minister to visit the Friends of the Eramosa Karst website and to come to the official opening of the Eramosa Karst Conservation Area on Friday, June 20, at 2 o'clock to gain a real appreciation of the need to protect the feeder lands.

Why won't this government protect these lands now by handing them over to the Hamilton Conservation Authority? It's well within your jurisdiction.

**Hon. David Caplan:** I'm glad that this member and the one who asked the previous question have finally



taken an interest in these very important lands. I can tell you that on previous occasions I have been to the karst, I have walked the land. I know that Minister Cansfield and my colleague from Hamilton Mountain quite recently toured the Eramosa karst. It's an important hydrogeological feature. That is why this government ensured that 73 hectares of land—very sensitive karst lands—were placed in perpetuity in the deed given over to the Eramosa Karst Conservation Area. That is why the Ontario Realty Corp. is working with the friends of the karst, with the local community, with the city of Hamilton and with the conservation authority, bringing in renowned world experts to provide the very best advice and guidance as to what lands should be protected. The—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary.

**Mr. Paul Miller:** My colleague Mr. Hudak and I are very concerned about the public information consultation number one that is happening on June 11. This consultation should be focused on the protection of the Eramosa karst feeder lands, not on any other interested parties like developers. Will this minister guarantee that the Eramosa karst feeder lands are on the list to be protected forever?

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**Hon. David Caplan:** It's very instructive when Rita Giuliatti, a spokesperson for the Friends of the Eramosa Karst, commented on our progress today. She said, and I know the member opposite would want to hear this, that she's "glad to see the province's Ontario Realty Corporation ... is conducting a thorough review of four properties it owns near the existing 73-hectare park." In fact, I know this member doesn't, and previously his party doesn't, like to consult the public. This government and our agencies certainly like to work with our colleagues, whether it's with the city of Hamilton, our stakeholders through the conservation authorities or local residents. I can assure this member that the ORC studies and the thorough review that they are doing for the best—

**The Speaker (Hon. Steve Peters):** Thank you. New question?

## BORDER SECURITY

**Mr. Tony Ruprecht:** My question today is for the Minister of Transportation. As a result of 9/11, very serious concerns have been raised about cross-border trade and travel. Times have changed and so has the identification required to cross the border. I've heard numerous calls from my constituents about this issue of photo identification cards and, quite honestly, they're very confused about this. They've heard conflicting reports of what is needed to cross the border. Some have heard that they can no longer use their driver's licence as proper ID. Some have heard that the Ministry of Citizenship is requesting to have a chip in there.

I'd like to ask the minister the following question: Could he clarify for this House what exactly his Photo Card Act legislation will do to ease the concerns?

**Hon. James J. Bradley:** I will share with the member what we hope to accomplish with this legislation. He would know that as of June 2009—that's not until next year—the western hemisphere travel initiative land and sea rules come into effect, and all individuals at that time looking to enter or re-enter the United States by land or sea will require a passport or passport alternative. This is why we've introduced legislation that, if passed, will give the government authority to implement a new enhanced security driver's licence.

There are more than four million people in Ontario who do not hold a valid driver's licence. That's why we've also proposed a photo ID card which would give people who do not drive the option of obtaining a convenient government-issued photo card. Non-drivers who are citizens may also obtain an enhanced photo ID card to be used at the US border.

**Mr. Tony Ruprecht:** My question again is for our great Minister of Transportation. In the previous answer given by the minister, he spoke about two different kinds of cards being proposed in this legislation. I'm sure that the constituents of my riding will be interested to know that if this is passed, they will be able to obtain such documents and that these proposed documents can be used as an alternative to a passport.

I'm hoping that the Minister of Transportation can provide this House with more details on these cards and how one can apply for these cards if this legislation is passed. In short, I'm asking the minister to please consider streamlining this process so that this application process can be made as easy as possible for our constituents.

**Hon. James J. Bradley:** It's an excellent question. It is actually the creation of three separate products being proposed through the photo card legislation. The first is an enhancement of the new and improved driver's licence that was rolled out in December 2007. This enhanced driver's licence is a voluntary option, and it will be available for the regular fee, with a fee on top of that, and would be valid for the same five-year time period. Initial rollout will be available in major sites across Ontario, and the application process will be set up to meet WHTI requirements at border crossings.

The second product is the photo ID card. This is an optional card for those who do not have a driver's licence but may require government-issued ID. There's a third product which is an enhanced version of the photo ID card. This would allow the cardholders to use it as proper—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. New question.

## AUTOMOTIVE INDUSTRY

**Mr. Jerry J. Ouellette:** My question is for the Minister of Labour. Minister, I'm sure it would be impossible for you to not know what's transpiring in the auto sector as a whole. The writing has been on the wall for a number of years. I've tried, through methods in this chamber,



to highlight the concerns within that industry, and it has been falling out the way I predicted.

Minister, one of the things that took place yesterday was that Buzz Hargrove specifically mentioned that your ministry was becoming involved, or was going to be asked to become involved, with the CAW, assisting in the contractual obligations with the contract between the CAW and General Motors. Can you enlighten us as to what your ministry is doing?

**Hon. Brad Duguid:** I think the member realizes that this government shares his concerns, as a member who has a number of constituents who are personally impacted by this, for those workers and their families. Obviously, that's our first priority.

As Minister of Labour, of course, I can't get directly involved in discussions and negotiations going on between employers and their workers and representatives. However, our Ministry of Labour officials are available upon request from either or both parties to assist in any way they can to ensure the parties are able to reach resolution on some of these very complex and important issues.

**Mr. Jerry J. Ouellette:** I thank the minister for the response. It was very specific in mentioning some of the branches or the options that may be available through the Ministry of Labour. Can you enlighten this Legislature as to specifically what options the ministry can enhance or work with to make sure that the contractual obligations are followed through with?

**Hon. Brad Duguid:** We fully expect GM, as we would any employer across this province but in particular the auto companies, to fulfill all of its obligations with regard to its collective agreements, in particular with regard to the treatment of employees for severance, layoff and termination responsibilities. However, if any of the parties wish to ask for the assistance of the ministry, we are there; we're eager. We have some of the best mediators in the country, who would be more than happy to assist the parties in any way they can as they work through this very difficult time.

As I said, the McGuinty government stands with the auto workers of this province. We recognize the important contribution they've made to our economy. We sympathize with the difficult time that they're going through right now, and certainly our ministry officials would be available to help in any way they can.

## HERITAGE CONSERVATION

**Mr. Peter Tabuns:** To the Minister of Culture: Designating the Alma College a heritage site would have meant better upkeep that would have prevented the fire that gutted that architectural marvel.

This morning, the Architectural Conservancy of Ontario, the mayor of St. Thomas and concerned citizens were here asking for a proactive approach to preserving heritage properties. They don't want what happened at Alma College to happen again.

Will the minister agree to launch a provincial review into the protection and designation of heritage sites in this province?

**Hon. M. Aileen Carroll:** I know I am joined by everyone in the House in our sadness at the loss of the beautiful and historic building which was Alma College. I realize what a difficult time it must be for alumni and citizens of St. Thomas as they work through this loss.

However, Alma College faced a number of serious challenges, including the fact that it was in an advanced state of deterioration. The city had recognized the heritage value; they had designated. However, the building was allowed to deteriorate over a long period of time, and when it was brought to the attention of the OMB, which was asked to settle the dispute, a structural engineer at that time advised the OMB that it was in such a state of disrepair that the cost to rehabilitate was prohibitive, and the fact that there was no alternative use being proposed made their perspective very difficult to agree with.

**Mr. Peter Tabuns:** Minister, as you well know, given those circumstances, in order to protect that building and those like it, it's going to require provincial intervention with cash. What concerned citizens have asked is that an Alma College heritage foundation fund be set up and operated by the province to preserve and protect heritage sites across Ontario.

Will you agree to establish this fund to ensure that heritage properties across Ontario don't meet the same fate as Alma College?

**Hon. M. Aileen Carroll:** The Ontario Heritage Act was reviewed and updated by this government less than two years ago. Considerable improvements and strategies were built into that act.

In addition to that, in 2006, the province, my ministry as it then was, was very proactive in setting up a working group among the owner, the city of St. Thomas and ministry officials to look for and find solutions that might have assisted with the situation of Alma College. However, as I have mentioned—also it should be noted that the current owner walked away from those working group efforts—as I have noted, it was a sad case that this building was allowed to deteriorate. But it had been deteriorating over a long period of time, and it was far too late, in the opinion of structural engineers or any of the experts, to move in and assist the building, which would have been prohibitive in cost.

If I may just continue a moment, and that is to say that we have created a new act. We have a new process. We have given municipalities the ability to—

**The Speaker (Hon. Steve Peters):** Thank you. The time for question period has ended.

## PETITIONS

### LORD'S PRAYER

**Mr. Jim Wilson:** I want to thank the members of the congregation of Walkerton Pentecostal Church for sending this petition to me.



"Petition to the Legislative Assembly of Ontario:

"Whereas Premier Dalton McGuinty has called on the Ontario Legislature to consider removing the Lord's Prayer from its daily proceedings; and

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe; and

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"We, the undersigned, petition the Legislative Assembly of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

I agree with this petition, and I'm signing it.

1150

### HOME CARE

**M<sup>me</sup> France Gélinas:** "To the Legislative Assembly of Ontario:

"Whereas the Ontario government has continued the practice of competitive bidding for home care services; and

"Whereas the competitive bidding process has increased the privatization of Ontario's health care delivery, in direct violation of the Commitment to the Future of Medicare Act, 2004; and

"Whereas competitive bidding for home care services has decreased both the continuity and quality of care available to home care clients; and

"Whereas home care workers do not enjoy the same employment rights, such as successor rights, as all other Ontario workers have, which deprives them of termination rights, seniority rights and the right to move with their work when their employer agency loses a contract;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario:

"(1) to immediately stop the competitive bidding for home care services so home care clients can receive the continuity and quality of care they deserve; and

"(2) to extend successor rights under the Labour Relations Act to home care workers to ensure the home care sector is able to retain a workforce that is responsive to clients' needs."

I fully support this petition, will affix my name to it, and send it with page Alie.

### CHILD CUSTODY

**Mr. Jean-Marc Lalonde:** I have a petition from parents and grandparents of St. Albert and surrounding area.

"To the Legislative Assembly of Ontario:

"Whereas the people of the province of Ontario, deserve and have the right to request an amendment to the Children's Law Reform Act to emphasize the

importance of children's relationships with their parents and their grandparents; and

"Whereas subsection 20(2.1) requires parents and others with custody of children to refrain from unreasonably placing obstacles to personal relations between the children and their grandparents; and

"Whereas subsection 24(2) contains a list of matters that a court must consider when determining the best interests of a child. The bill amends that subsection to include a specific reference to the importance of maintaining emotional ties between children and grandparents; and

"Whereas subsection 24(2.1) requires a court that is considering custody of or access to a child to give effect to the principle that a child should have as much contact with each parent and grandparent as is consistent with the best interests of the child; and

"Whereas subsection 24(2.2) requires a court that is considering custody of a child to take into consideration each applicant's willingness to facilitate as much contact between the child and each parent and grandparent as is consistent with the best interests of the child;

"We, the undersigned, petition the Legislative Assembly of Ontario to amend the Children's Law Reform Act to emphasize the importance of children's relationships with their parents and grandparents."

I add my name to this petition.

### SCHOOL FACILITIES

**Mr. Paul Miller:** "We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario, the Minister of Education, to approve Hamilton-Wentworth District School Board's business plan to build a new Winona public school in the community of Winona; that approval and funding be allocated expeditiously and with great urgency so that construction can commence immediately;

"We are calling on the government to live up to their promise for 'excellence in the public education system,' that our children will be put first and to ensure that schools are safe and healthy;

"We call on the government to provide the children of the Winona community an opportunity to learn, grow and unite in a new Winona public school that is desperately required to meet and address the pressures and conditions they are currently facing, and that are placing them at risk."

I agree with this petition and affix my name to it.

### FIREARMS CONTROL

**Mr. Tony Ruprecht:** This petition goes in tandem with Bill 56, which was introduced as a private member's bill by the member from Eglinton-Lawrence, and it reads as follows:

"Whereas innocent people are being victimized by the growing number of unlawful firearms in our communities; and

"Whereas police officers, military personnel and lawfully licensed persons are the only people allowed to possess firearms; and

"Whereas a growing number of unlawful firearms are transported, smuggled and found in motor vehicles; and

"Whereas impounding motor vehicles and suspending driver's licences of persons possessing unlawful firearms in motor vehicles would aid the police in their efforts to make our streets safer;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 56, the Unlawful Firearms in Vehicles Act, 2008, into law, so that we can reduce the number of crimes involving firearms in our communities."

I agree with this petition 100% and I'm delighted to sign it.

#### COMMUNITY COLLEGES COLLECTIVE BARGAINING

**Mr. Ted Arnott:** I have a petition to the Legislative Assembly of Ontario and it reads as follows:

"Whereas part-time college workers in Ontario have been waiting for 30 years for bargaining rights; and

"Whereas thousands of part-time college workers have signed OPSEU cards, and the Ontario Labour Relations Board failed to order a timely representation vote; and

"Whereas the Ontario government must immediately make good on its promise to extend bargaining rights to college part-timers;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"The McGuinty government must immediately pass legislation legalizing the rights of college part-timers to organize, and direct the colleges to immediately recognize OPSEU as the bargaining agent for part-time college workers."

#### PROTECTION FOR MINERS

**M<sup>me</sup> France Gélinas:** I have a petition from the people of Sudbury.

"Whereas the current legislation contained in the Occupational Health and Safety Act and regulations for mines and mining plants does not adequately protect the lives of miners, we request revisions to the act;

"Lyle Everett Defoe and the scoop tram he was operating fell 150 feet down an open stope (July 23, 2007). Lyle was 25 years and 15 days old when he was killed at Xstrata Kidd Creek mine site, Timmins....

"The stope where Lyle was killed was protected by a length of orange plastic snow fence and a rope with a warning sign. These barriers would not have been visible if the bucket of the scoop tram was raised. Lyle's body was recovered from behind the scoop tram.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Concrete berms must be mandatory to protect all open stopes and raises;

"All miners and contractors working underground must have working communication devices and personal locators;

"All equipment involved in injuries and fatalities must be recovered and examined unless such recovery would endanger the lives of others; and

"The entire act must be reviewed and amended to better protect underground workers."

I support this petition. I will affix my name to it and send it with page Taylor.

#### HOSPITAL FUNDING

**Mr. Joe Dickson:** A petition to the Legislative Assembly of Ontario:

"Whereas the Central East Local Health Integration Network board of directors has approved the Rouge Valley Health System's deficit elimination plan, subject to public meetings; and

"Whereas it is important to ensure that the new birthing unit at Centenary hospital, a \$20-million expansion that will see 16 new labour, delivery, recovery and postpartum (LDRP) birthing rooms and an additional 21 postpartum rooms added by October 2008, will not cause any decline in the pediatric services currently provided at the Ajax-Pickering hospital; and

"Whereas, with the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a project that could reach \$100 million, of which 90% is funded by the Ontario government, it is important to continue to have a complete maternity unit at the Ajax hospital; and

"Whereas it is also imperative for the Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding; and

"Whereas the parents of Ajax and Pickering deserve the right to have their children born in their own community, where they have chosen to live and work;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Rouge Valley Health System continue to provide the current level of service that our Ajax-Pickering hospital now serves the fast-growing communities of west Durham; and

"That the Ajax-Pickering hospital retain its full maternity unit."

I shall affix my signature to this and pass it to Doaa.

#### LONG-TERM CARE

**M<sup>me</sup> France Gélinas:** I have a petition from the people of Hamilton and Burlington.



"Whereas understaffing in Ontario's nursing homes is a serious problem resulting in inadequate care for residents and unsafe conditions for staff;

"Whereas after the Harris government removed the regulations providing minimum care levels in 1995, hours of care dropped below the previous 2.25 hour/day minimum;

"Whereas the recent improvements in hours of care are not adequate, vary widely and are not held to accountable standards;

"Whereas there is currently nothing in legislation to protect residents and staff from renewed cuts to care levels by future governments; and

"Whereas care needs have measurably increased with aging and the movement of people with more complex health needs from hospitals into long-term-care homes;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Immediately enact and fund an average care standard of 3.5 hours per resident per day in the regulations under the new Long-Term Care Homes Act."

I fully support this petition, will affix my name to it and send it with page Christopher.

#### ANTI-SMOKING LEGISLATION

**Mr. Jeff Leal:** I have the last batch of petitions, from the riding of Peterborough.

"Children and Smoke-Free Cars—Support Bill 11

"To the Legislative Assembly of Ontario:

"Whereas children exposed to second-hand smoke are at a higher risk for respiratory illnesses including asthma, bronchitis and pneumonia, as well as sudden infant death syndrome (SIDS) and increased incidences of cancer and heart disease in adulthood; and

"Whereas the Ontario Medical Association supports a ban on smoking in vehicles when children are present, as they have concluded that levels of second-hand smoke can be 23 times more concentrated in a vehicle than in a house because circulation is restricted within a small space; and

"Whereas the Ipsos Reid poll conducted on behalf of the Ontario Tobacco-Free Network indicates that eight in 10 (80%) of Ontarians support 'legislation that would ban smoking in cars and other private vehicles where a child or adolescent under 16 years of age is present'; and

"Whereas Nova Scotia, California, Puerto Rico, and South Australia recently joined several jurisdictions of the United States of America in banning smoking in vehicles carrying children;

"We, the undersigned, respectfully petition the Legislative Assembly of Ontario to approve Bill 11 and amend the Smoke-Free Ontario Act to ban smoking in vehicles carrying children 16 years of age and under."

I agree with this petition and will affix my signature to it.

**The Speaker (Hon. Steve Peters):** Any further petitions? The time for petitions is about to expire.

This House stands recessed until 1 p.m.

*The House recessed from 1203 to 1300.*

#### MEMBERS' STATEMENTS

##### ENDANGERED SPECIES

**Mr. Norm Miller:** The forestry sector in this province has long had a world-renowned platinum standard for excellence, a record that began under another government with the largest conservation efforts our province has ever seen.

Our forest management practices have worked in support of endangered species, and the science proves that species have been brought back from the brink under current forestry practices—species like caribou, red-shouldered hawks and bald eagles.

A few weeks ago, the McGuinty government sent clear signals to the forestry sector that it would not honour its commitment to provide for a long-term regulation under their new Endangered Species Act. The industry was in shock, as it had been working in good faith with the ministry in the development of regulations that would recognize current forest management plans.

More than 230,000 jobs and countless communities in the north hang in the balance, which is why the Ontario Forestry Coalition came to Queen's Park yesterday to raise the alarm.

This development begs the question: Why? The answer is quite simple: This government has become the pawn of powerful environmental groups and has put those concerns ahead of First Nations, communities and ordinary people.

Perhaps Peter Foster said it best in his article in the National Post yesterday: "There can be no doubt that activists have done a brilliant job in infiltrating Queen's Park. Whether such infiltration should be considered a cause of celebration depends on where you stand on the issue of animals having priority over people."

##### ISLINGTON JUNIOR MIDDLE SCHOOL

**Ms. Laurel C. Broten:** I recently had the pleasure of visiting Islington Junior Middle School in my riding of Etobicoke-Lakeshore on the occasion of their 175th anniversary.

Established in 1832, Islington Junior Middle is the second-oldest elementary school in all of Toronto and has a large multicultural community, where more than 40 different languages are spoken, including Korean, Somali, Serbian, Russian, Arabic, Bengali and Urdu, to name a few. A strong academic program, combined with extracurricular activities in music, drama and sports, as well as before- and after-school programs, truly brings out the best in this school community.

The village of Islington in Etobicoke was settled by United Empire Loyalists fleeing from the United States after the American Revolution. In 1822, there was an

unofficial school for eight students on the shoemaker's premises on Burnhamthorpe Road, just north of Dundas. By 1832, the growing population of Islington necessitated the building of a one-room log cabin school with monies donated by the community.

To celebrate this milestone in Islington Junior Middle's history, MABELLEarts, a Jumblies Theatre project, under the artistic direction of Leah Huston, collaborated with artists from Pigeon Creek Collective, school staff and students to design and produce a giant puppet pageant. The pageant took the form of a visual poem to tell the story of the history of one of our oldest schools.

We've all witnessed many changes since 1832, but what has not changed is the way that Islington Junior Middle School continues to serve the community. Happy 175th anniversary.

### AUTOMOTIVE INDUSTRY

**Ms. Laurie Scott:** As is happening each and every week, this week we heard of thousands more job losses in Ontario. This includes over 2,500 jobs lost at General Motors in Oshawa, through the closing of its truck assembly plant.

In my riding of Haliburton-Kawartha Lakes-Brock, General Motors is the largest private employer. The negative economic impacts of these job losses will hurt local businesses, suppliers and manufacturers throughout my entire riding.

Over 200,000 manufacturing job losses under the watch of the McGuinty Liberals prove to Ontarians that their Premier doesn't believe in workers.

Today, the Premier tells us about a so-called strategy that may provide help to less than 10% of those hundreds of thousands of workers without jobs in McGuinty's Ontario.

The Premier, on April 29, said, "The Minister of Economic Development and Trade tells me that we're about to build GM's first new hybrid truck in North America right here in Ontario." Well, members in this House have heard directly from General Motors that this hybrid truck isn't going to be built in Oshawa or even in Ontario, for that matter.

Not only does the minister break promises to Ontarians; she's now breaking promises to the Premier. I suppose you could call that a little taste of his own medicine.

Dalton McGuinty has spent \$600 million of taxpayers' money on his so-called auto investment strategy without job guarantees. At this point, the only thing he has created in Ontario is the loss of over 20,000 auto sector jobs.

### MAD PRIDE DAY

**Ms. Cheri DiNovo:** I'm delighted to rise on behalf of Mad Pride Toronto. Back in the 1970s and 1980s, many psychiatric patients were deinstitutionalized from facilities like Queen Street and the Lakeshore. Ex-patients

organized for support and called themselves psychiatric survivors or, now, consumer survivors.

In the fall of 1993, they began a yearly pride event to empower themselves and educate the broader community. In the year 2000, the local community aligned itself with the global Mad Pride movement, which recognizes July 14, Bastille Day, another day of liberation, as theirs.

Last year, Mayor David Miller declared July 14 Mad Pride Day. It is the day when the annual bed push and celebration happens outside of CAMH and continues into my riding of Parkdale, proud home to many consumer survivors.

Ruth Ruth, one of the activists behind Mad Pride, is a celebrated director, actor and consumer survivor. I dedicate this statement to her and all the others who have made Mad Pride Day such a landmark by doing something mad and declaring, along with David Miller, that July 14 is Mad Pride Day to all Ontarians. Let that day be everyone's day to discover their mad side. By all means, join us in Parkdale to push the gurney down Queen St.

Don't get even; get mad.

### PUNJABI MUSIC

**Mrs. Amrit Mangat:** I was honoured to have the opportunity to speak to the Punjabi Heritage Foundation of Canada during a recent event in Ottawa honouring the life and times of Surinder Kaur, who was known as the nightingale of Punjab, and Nand Lal Noorpuri, known as the people's folk song writer.

Surinder Kaur dedicated a lifetime to the promotion of authentic Punjabi music. She lived to lend a voice to Punjab; its flourish, its richness. She visited Ontario several times and performed to huge audiences. Her career as a folk singer started when she was only 12. She recorded over 2,000 songs and performed as playback singer in several famous films. During Surinder Kaur's visits to Ontario, she sang many of Nand Lal Noorpuri's songs to large gatherings.

I would like to thank Mitter Rasha, president of the Punjabi Heritage Foundation of Canada, for inviting me to pay tribute to these artists who continue to have such a lasting impact on Punjabi culture and heritage, including in Ontario, where their songs can be heard on Punjabi radio and Punjabi television programs frequently.

### TORONTO CATHOLIC DISTRICT SCHOOL BOARD

**Mr. Peter Shurman:** This morning, newspapers across the GTA carried the headline that the province has taken over the Toronto Catholic District School Board. The Minister of Education based her decision to strip the board of its power based upon an investigator's report detailing the fiscal irresponsibility of this board.

I believe that the minister has the moral responsibility to go even further. In January of this year, an investigation by the Toronto Sun revealed rampant abuses



by TCDSB trustees with regard to school-issued credit cards and expense accounts. Trustees were expensing food, booze, clothes and vacations on taxpayer-funded credit cards. One of the worst offenders billed a Caribbean vacation, pizza delivery and Tim Hortons coffee to taxpayers.

In January 2007, TCDSB trustees voted themselves medical, dental and life insurance coverage despite legal counsel advising that they did not have the authority to award themselves such benefits. Since the 2003-04 school year, the average cost per TCDSB trustee has increased by 163%.

As I said, the minister has the moral responsibility to go further than stripping the board of its responsibility. TCDSB trustees betrayed their staff and the students and parents they are supposed to serve. They have put the viability of this board in serious jeopardy. Although the Education Act doesn't allow the minister to dismiss trustees, the minister should, at the very least, exercise her moral authority and call upon all members of the TCDSB to immediately submit their resignations.

1310

#### COCA-COLA BOTTLING CO.

**Mrs. Linda Jeffrey:** Yesterday, Coca-Cola Bottling Co. introduced the first of 10 heavy-duty hybrid-electric vehicles to its fleet in Ontario. The addition of these delivery trucks to their fleet will improve fuel consumption by 37%, reduce emissions by 32% and create less noise and emissions when stopped in traffic.

This company recognizes that climate change is one of the most important environmental issues facing our world today. Their environmental policy indicates that they are committed to improving the efficiency with which they use energy and to reducing their CO<sub>2</sub> emissions and setting improvement targets for the future.

Coca-Cola has a large production facility in Brampton, with three bottling lines employing approximately 800 employees. In 2006, Coca-Cola Bottling Co. celebrated 100 years of doing business in Canada. On behalf of my constituents of Brampton-Springdale, I'd like to congratulate them and thank Coca-Cola for integrating state-of-the-art technology into vehicles that transport their beverages. This announcement is a great way to celebrate Environment Week.

#### PETERBOROUGH REGIONAL HEALTH CARE CENTRE

**Mr. Jeff Leal:** Friday, May 9, 2008, was a momentous day for Peterborough. It was the day we cut the ribbon to open the new Peterborough Regional Health Care Centre. This is a project that has involved the community of Peterborough, the Peterborough Regional Health Care Centre Foundation and the government of Ontario, all working together to provide the funding necessary to build this state-of-the-art facility. It was only possible through the hard work, dedication and com-

mitment of all these partners that this project reached fruition.

This new hospital means better service to the residents of this area, it means access to the latest technology and it means doctors will come to Peterborough to work in this new facility.

As he cut the ribbon, the Honourable George Smitherman said, "I will declare it's ready for occupancy. Peterborough Regional Health Care Centre was built on the backs and love of local people." It took four years to build this new hospital, and many more years to raise the funds.

In an emotional speech, the president and CEO of PRHC, Mr. Paul Darby, said, "I'm overwhelmed with the enormity of this project and what it represents for Peterborough and the region.

"We did it. Together, we all did it."

Everyone from the Premier to each resident of Peterborough who contributed to this project can feel proud of this great accomplishment.

#### CLIMATE CHANGE

**Mrs. Maria Van Bommel:** Earlier this week, Premier McGuinty and Quebec Premier Jean Charest signed a memorandum of understanding on fighting global climate change. A major component of this partnership is a cap-and-trade system shared by both provinces that could be in place as early as 2010. This means that companies that emit less greenhouse gases than their caps could then sell those unused quotas in an open market to other companies that are exceeding their emissions caps.

For years, farmers in Lambton-Kent-Middlesex have been discussing the agricultural opportunities presented by carbon sinks and carbon credits in this type of system. The cap-and-trade system will help both provinces transition to a low-carbon economy and create a green future for our children.

This system also serves as an impetus for technological innovation and job creation. I'm pleased to say that the McGuinty government is already moving on that front with our Next Generation of Jobs Fund initiatives.

But with so many positive outcomes, I was surprised to see and hear that the federal environment minister and former provincial Conservative member criticized this initiative, saying, "The reality is, we can't have efforts at the provincial level." I disagree. The fact is that Ontarians are looking to our government for action on the fight against climate change, and we are doing just that, not only through this agreement with Quebec, but also with our efforts to improve public transit, encourage conservation and more.

This government is committed to a greener Ontario, and we will work with our partners—

**The Acting Speaker (Mr. Jim Wilson):** Thank you.

## REPORTS BY COMMITTEES

STANDING COMMITTEE ON  
FINANCE AND ECONOMIC AFFAIRS

**Mr. Jean-Marc Lalonde:** I beg leave to present a report from the Standing Committee on Finance and Economic Affairs and move its adoption.

**The Deputy Clerk (Mr. Todd Decker):** Your committee begs to report the following bill without amendment:

Bill 55, An Act to enact the Ontario French-language Educational Communications Authority Act, 2008 and make complementary amendments to the Ontario Educational Communications Authority Act / Projet de loi 55, Loi édictant la Loi de 2008 sur l'Office des télécommunications éducatives de langue française de l'Ontario et apportant des modifications complémentaires à la Loi sur l'Office de la télécommunication éducative de l'Ontario.

**The Acting Speaker (Mr. Jim Wilson):** Shall the report be received and adopted? Agreed.  
*Report adopted.*

**The Acting Speaker (Mr. Jim Wilson):** The bill is therefore ordered for third reading.

STANDING COMMITTEE ON  
GENERAL GOVERNMENT

**Mrs. Linda Jeffrey:** I beg leave to present a report from the Standing Committee on General Government and move its adoption.

**The Clerk-at-the-Table (Ms. Tonia Grannum):** Mrs. Jeffrey from the Standing Committee on General Government presents the committee's report as follows:

Your committee begs to report the following bill, as amended:

Bill 48, An Act to regulate payday loans and to make consequential amendments to other Acts / Projet de loi 48, Loi visant à réglementer les prêts sur salaire et à apporter des modifications corrélatives à d'autres lois.

**The Acting Speaker (Mr. Jim Wilson):** Shall the report be received and adopted? Agreed.  
*Report adopted.*

**The Acting Speaker (Mr. Jim Wilson):** The bill is therefore ordered for third reading.

## INTRODUCTION OF BILLS

## 2076467 ONTARIO INC. ACT, 2008

Mr. Lalonde moved first reading of the following bill: Bill Pr13, An Act to revive 2076467 Ontario Inc.

**The Acting Speaker (Mr. Jim Wilson):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Acting Speaker (Mr. Jim Wilson):** Pursuant to standing order 85, this bill stands referred to the Standing Committee on Regulations and Private Bills.

## 2029652 ONTARIO LTD. ACT, 2008

Ms. Horwath moved first reading of the following bill: Bill Pr9, An Act to revive 2029652 Ontario Ltd.

**The Acting Speaker (Mr. Jim Wilson):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Acting Speaker (Mr. Jim Wilson):** Pursuant to standing order 85, this bill stands referred to the Standing Committee on Regulations and Private Bills.

## FAIRNESS FOR FAMILIES ACT, 2008

LOI DE 2008 SUR LE TRAITEMENT  
ÉQUITABLE DES FAMILLES

Mr. Hudak moved first reading of the following bill:

Bill 88, An Act to provide fairness for families by amending the Taxation Act, 2007 to allow income splitting for taxation between cohabiting spouses and common-law partners / Projet de loi 88, Loi prévoyant le traitement équitable des familles en modifiant la Loi de 2007 sur les impôts pour permettre le fractionnement du revenu entre conjoints ou conjoints de fait visés aux fins de l'impôt.

**The Acting Speaker (Mr. Jim Wilson):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Acting Speaker (Mr. Jim Wilson):** Mr. Hudak for a short comment.

**Mr. Tim Hudak:** As you may know, families in Germany, France, United States, Ireland and Switzerland allow married or common-law couples to file a joint tax form and effectively split their income. The federal government's moved on this with respect to pension income. Families who choose to have a spouse stay at home or work part-time pay higher taxes than a couple with the same income who are both working full-time. This is unfair. The Fairness for Families Act will bring equality to all married or common-law couples by amending the Taxation Act in Ontario to allow them to file a joint income tax return with respect to provincial taxes for their spouse or common-law partner.

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OMBUDSMAN AMENDMENT ACT  
(HOSPITALS AND LONG-TERM CARE  
FACILITIES), 2008LOI DE 2008 MODIFIANT  
LA LOI SUR L'OMBUDSMAN  
(HÔPITAUX ET ÉTABLISSEMENTS  
DE SOINS DE LONGUE DURÉE)

Mme Gélinas moved first reading of the following bill:



Bill 89, An Act to amend the Ombudsman Act with respect to hospitals and long-term care facilities / *Projet de loi 89, Loi modifiant la Loi sur l'ombudsman en ce qui a trait aux hôpitaux et aux établissements de soins de longue durée.*

**The Acting Speaker (Mr. Jim Wilson):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Acting Speaker (Mr. Jim Wilson):** The honourable member for a short statement?

**M<sup>me</sup> France Gélinas:** Currently, under the Ombudsman Act, the Ombudsman may investigate decisions, recommendations, actions and omissions of government bodies and may exercise other powers necessary for an investigation. The bill amends the act to give the Ombudsman the same powers in relation to hospitals and long-term-care facilities.

## PRIVATE MEMBERS' PUBLIC BUSINESS

### CONSUMER REPORTING AMENDMENT ACT, 2008

### LOI DE 2008 MODIFIANT LA LOI SUR LES RENSEIGNEMENTS CONCERNANT LE CONSOMMATEUR

Mr. Ruprecht moved second reading of the following bill:

Bill 75, An Act to amend the Consumer Reporting Act / *Projet de loi 75, Loi modifiant la Loi sur les renseignements concernant le consommateur.*

**The Acting Speaker (Mr. Jim Wilson):** Mr. Ruprecht.

**Mr. Tony Ruprecht:** The purpose of Bill 75 is to prevent as much as possible identity theft and lessen the inequities which presently exist between the banking sector and consumers.

Before I get into the details, Mr. Speaker, I'd like to tell you that I'm dividing my time with the member from Oakville and the member from London—Fanshawe.

Identity theft is a very serious crime. There are presently over 53 million credit cards in circulation in Canada, which is much more than the total population of our country. Since our personal quality of life—yes, our well-being—is directly affected by our creditworthiness, our credit rating, is affected by the mortgage we can buy, is affected by the loans we need, is affected by our credit score, let me tell you how this bill will help Canadians with their financial security.

Bill 75 affects the Consumer Reporting Act and speaks directly of the “duty to inform” the consumer “about missing or stolen information.” I will go through these 10 points and then try to explain each of them in more detail, and I'm hoping I won't run out of time.

(1) “The bill provides that where a consumer reporting agency”—such as Equifax, a bank, TransUnion—“and any other person, such as a bank, to whom a consumer report has been provided, discover that there has been an unlawful disclosure of consumer information or that such information has been lost or stolen, they shall immediately inform the affected consumer.”

(2) “Duty to truncate”—that is, to mask-out—“vital information

“The bill provides that a consumer report shall not provide information pertaining to a consumer's address, date of birth, social insurance number and credit account number that is not in a truncated form and also that there be no information in a consumer report other than information provided by the information provider, except for the unique identifier number.”

(3) “Duty to delete unconfirmed information within 30 days

“The bill provides that consumer reporting agencies shall investigate disputed information within 30 days and correct, supplement or delete any information found to be unconfirmed, incomplete or inaccurate.”

(4) “Duty not to penalize consumers for applying for credit

“The bill provides that consumer reporting agencies and other persons may not consider, as a key factor in determining the credit score of a consumer, the fact that a consumer report has been requested. In addition, credit scores and the key factors used to determine them are added to the list of information to be disclosed to a consumer on request.”

(5) “Duty to provide full disclosure if credit denied

“The bill provides that a person who takes adverse action against a consumer on the basis of information contained in a consumer report shall inform the consumer of the action and provide a copy of the report, including the name and address of the agency that prepared it, and shall notify the consumer of the right to correct incomplete or inaccurate information.”

(6) “Duty to disclose calculation of credit score

“The bill provides that consumer reporting agencies shall disclose, upon request of the consumer, the range of possible credit scores, under the model used, all the key factors that adversely affected the score, the date the credit score was created and a summary of how the credit score was calculated, including the method being used.”

(7) “Duty to report only inquiries resulting from applications for credit

“The bill provides that consumer reporting agencies shall only report inquiry records resulting out of actual applications for credit except in a report given to the consumer.”

(8) “Duty to report in writing only

“The bill provides that consumer reporting agencies shall only report information on consumer reports in written or electronically transmitted form, and not orally.”

(9) “Duty to retain information that is not contested legally



"The bill provides that consumer reporting agencies shall not delete or otherwise fail to make available any information in a consumer file that is not contested in legal proceedings brought by a consumer against the agency arising out of a claim of inaccuracy in a consumer report."

(10) "Duty not to report debts vacated after bankruptcy proceedings

"The bill provides that consumer reporting agencies shall not provide the names of creditors or the amounts owing to such creditors after the date on which the debtor is discharged from bankruptcy. The consumer reporting agencies shall continue to be able to note bankruptcies by providing information on the date of filing for bankruptcy, the date of the discharge and the total amount involved."

This is quite a lengthy discussion in terms of protecting the consumer. What are we trying to do with Bill 75? The essence is clear: to provide a way that will safeguard identity theft, which according to the RCMP, the privacy commissioner of Ontario and the Privacy Commissioner of Canada, Jennifer Stoddart—in a recent report released the day before yesterday, what does she say about identity theft? She says the following, and remember, this was just released two days ago: "Over the past few years, hundreds of thousands of Canadians have been affected by data breaches, with financial institutions being the worst culprits."

Here we are; the Privacy Commissioner of Canada says, "Hey look, business guys, hey look, financial institutions, you are too lax with private information that has to do with financing." It says quite clearly that there's a problem here, that there's identity theft taking place that can be and should be avoided as much as possible. That is quite an undertaking. We're trying to safeguard the consumer. We're trying to safeguard private information so it cannot be stolen.

Let me tell you simply this: I personally have been affected by it, and I've got the copies and the bills here. Look what it says, for instance. It says here, "Mr. Ruprecht, you owe \$866.10, because your credit card was debited. You bought a computer and you bought some clothing. Please pay up."

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I was surprised when I heard this against my name. Since I didn't want to pay, guess what happened to me? I said, "This is fraud. I didn't even know about this. I don't have a credit card. Certainly, I do not have an MBNA credit card." Yet I'm supposed to pay this bill on a card that I didn't request and on a card I didn't charge. This happens to hundreds of thousands of people. I'm sure if I were to ask the members here, there would be many who have had the same experience.

How do we then get to the credit-granting institutions and tell them, "Hey, look, this is wrong"? If I were not an MPP and I were an ordinary resident in my riding saying, "Hey, something's wrong," then what's the next item that we're trying to protect the consumer against, getting this information out quickly? Why?

Let's assume, for instance, I go on the 407 and I get a bill and I say, "Oh, this bill is wrong," just like this credit card bill was wrong. If I don't pay and I say, "Sorry, I wasn't on that highway. I didn't have anything to do with this bill," immediately what they say is, "All right, you don't pay and we'll report you to Equifax and TransUnion," which are the holders of your credit cards.

They'll report it. Consequently, if they report that you don't want to pay, immediately your FICO score on your credit report goes down. Then try to get a mortgage. Try to get a loan for your car. If you thought you'd get a good deal, you're wrong. The amount of credit you get is not only lowered, but what happens that's even more important is that the amount you now pay on interest on your mortgage, or the amount you pay on interest on your car loan or any loan, is suddenly higher. Instead of paying 4%, you might end up paying 6%. Is this fair? No.

This Legislature has a duty to perform, and that is to protect the consumer against this kind of fraud. Identity theft is really reaching—according to the Privacy Commissioner of Canada—proportions which must be checked. It is, she says, an epidemic. Identity theft is an epidemic. Now, when Equifax admitted that 2,500 of its files were "stolen," then I asked the RCMP—I wrote a letter—"You know what? Tell me please, RCMP officers, one thing: Who are you going to charge now? Yes, we know Equifax was not as careful as they should've been. Who are we charging here? Who should be charged?" The RCMP replied to me in a letter and they simply said, "You know what? This is so complex, the truth is that it is so overwhelming, that we're unable to help you." That's essentially the fact. They told me something else that I should share with you today. They said to me, "We have identified six sites where swapping of private information is open. It's on the Internet."

So when you open the file, when you open the Internet, and you say, "I'd like to get a passport. I'd like to get a driver's licence. I'd like to get a security card. I'd like to get any private information," there is a list that says, "For your passport information, we'll pay you"—it's in terms of swapping—"I'll swap something and you give me something else."

On the Internet a real passport, meaning the numbers and the information, costs you, as a swap, \$500. A driver's licence costs you \$500. A social security card costs you \$250. Amazing—the RCMP says they've identified six sites where this takes place. How do we stop this? They're overwhelmed. This is what the Privacy Commissioner of Canada says it is: an epidemic.

Do we have a role to play here? Can we at least mitigate the situation to some degree? Can we help out? Can we help the consumer? Yes, we certainly can. Here's the deal. The first point in Bill 75 says simply this: If a security breach has been committed—in other words, if your file has been stolen, if your private information has been compromised—wouldn't it be a good idea to have the credit granter, or a bank, or Equifax or TransUnion, say, "You know what? I'll admit that 2005 files have been stolen and you're one of them. Please check it out. Be careful. Have a look at what's on your credit card."



It's clear. Can we do something about this? Is it fair to give a 30-day notice? Yes, it is, and I'm here to tell you today, and I'm hoping that you will support this bill, because the essence is important. As the privacy commissioner says, we've simply got to stop this leaking of private information.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Ms. Lisa MacLeod:** I want to compliment my colleague from Davenport. I know that Mr. Ruprecht has brought this bill forward before.

Let me first speak on behalf of the Progressive Conservative Party and the official opposition and indicate how important we feel that this legislation is for consumer protection and that we're interested in working with the Legislature and all three parties to ensure that there are greater consumer protections in Ontario.

I might note at this point that the last time there were sweeping introductions of consumer protection in the province of Ontario was in 2002. Under a previous Progressive Conservative administration, in which my colleague the member from Niagara West—Glanbrook was minister of consumer protection at the time, he brought in sweeping reforms. I might add that I am disappointed that at this point in time there are still regulations from that piece of legislation that passed in 2002, regulatory regimes that have not yet been put in place, whether it's for the bereavement sector or the auto sector or even the Ontario racing community.

That said, while I am proud of the achievements of our previous Conservative administration under Mr. Hudak's leadership, I must say that, today, protecting Ontario consumers is even more important when you're looking at identity theft or Internet fraud or even when you're looking at the bill before this Legislature that was introduced by committee today, Bill 48, which is on payday loans.

I might also add that this is the fourth time this bill was introduced by the member. I encourage him to continue to raise awareness on this very important issue. I think it speaks to his insight into what happened to him, but also to his determination for change. But let me speak, I guess, to the disappointment we have on this side of the chamber that a member from the governing party who has direct experience in identity theft, who actually introduced a bill that the former Minister of Economic Development, Joe Cordiano, brought before this House—that the Liberal cabinet wouldn't adopt this legislation. In fact, in 2005 there was unanimous consent to try and move this piece of legislation along so that it would be speedily passed. Here we are again, three years later, three sessions later, a new Parliament, and we're still debating a piece of legislation that is long overdue.

Just to summarize for those who have just joined the debate: As defined by the federal consumer agency of Canada and Industry Canada, a credit report is a snapshot of your credit history. It's one of the main tools that lenders use to decide whether or not to give you credit. That is what this bill is about. It's actually improving consumer reporting to protect people against identity

fraud. A person's credit history is recorded in files maintained by at least one of Canada's three major credit reporting agencies: Equifax, TransUnion and Northern Credit Bureaus.

These consumer reporting agencies are private businesses that create, maintain and sell information about you to a business that has the right to have access to your file and has paid a fee to a consumer reporting agency. There are two classes of information which you may file at a consumer reporting agency: credit information and personal information. As outlined by this member, his private member's bill provides that if the consumer reporting agency and any other person, such as a bank, to whom a consumer report has been provided discovers that there has been an unlawful disclosure of consumer information or that such consumer information has been lost or stolen, they shall immediately inform the affected consumer. It also outlines the duty to shorten vital information so that a consumer report does not provide information relating to a consumer's personal information, such as an address, date of birth, social insurance number and credit card account number.

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Some other key provisions include—and I think that the member who has put this piece of legislation forward four times succinctly described them to this Legislature—the duty to delete unconfirmed information within 30 days; the duty not to penalize consumers for applying for credit; the duty to provide disclosure if credit is denied; the duty to record only inquiries resulting from applications for credit; the duty to report in writing only; the duty to retain information that is not contested legally; the duty not to report debts vacated after bankruptcy proceedings; the duty to provide a true copy of the report; and the duty to store and safeguard information in accordance with the Personal Information Protection and Electronic Documents Act.

As many folks here know, and I know that there are a few members who are critics or part of the government and consumer protection sector that we've got here in this chamber who have been part of the general government committee that put through Bill 48. I have spoken an awful lot about Ontario becoming a credit card economy. That is why we need this legislation.

I highlighted some of the complexities around this, and as a result, I believe it is imperative that Ontario's consumers are well-informed of the issues surrounding such a complex issue in this chamber: the credit reporting system, as it has such an important impact on each of our daily lives. I really am heartened that he has brought it forward, but I just can't reiterate enough that a senior member of the Liberal caucus has brought this forward. I remember debating the former Minister of Government and Consumer Services, who's in front of me right now, on Focus Ontario and talking about the same piece of legislation over a year ago—two years ago now, I believe—and how important this was and the bravado and the promises that the government gave us that they were going to protect Ontario's consumers, and nothing.



What I'm frightened about, as I go into my concerns about this piece of legislation, is this: What we're doing here today is important, but it will never become law unless it is a government cabinet minister who actually brings forward this legislation. What we're doing here today is nothing more than just an educational awareness campaign. Quite honestly, the member who brought forward this bill, Mr. Ruprecht, ought to be congratulated for his persistence, but shame on the government. Four times this member has brought this forward, and I bet you, when all the Liberal members speak on this legislation in this House today—do you know what they're going to do?

**Mr. Jeff Leal:** Support it.

**Ms. Lisa MacLeod:** They're going to support it. They're going to vote for it. Will it become law? What are you going to do around the cabinet table? What are you going to do around the caucus table? Are you going to call on the Minister of Government and Consumer Services and demand that this piece of legislation become law? Are you going to do it? I'm not sure.

The general public does not have a whole grasp on consumer reporting, and we must do our best in this Legislature to make the information as accessible as possible, and for that I commend the member. As Linda Leatherdale noted on December 11, 2005, three years ago, in a Toronto Sun article called "Credit Clampdown," "Many victims don't realize they've been hit by scam artists until they find the deed to their home is no longer in their name, their bank account is wiped out, or credit card bills arrive showing a wild spending spree."

We in the Progressive Conservative Party and the official opposition are delighted to see the bill. As some of you may recall, when the member first introduced the bill in 2005, our member of provincial Parliament for Barrie, Joe Tascona, debated the bill. He made a few excellent points and noted that we were and remain saddened by the fact that, again, it was brought forward in private member's bill format, not by the government. I hate to see the member being used in the name of consumer protection when this government is not going to do a thing. He's just being used.

But first and foremost, this is about the consumer. If the current Ontario government was truly supportive of this piece of legislation and protecting consumers from fraud and identity theft, it would have brought this legislation through the Minister of Government and Consumer Services, and it should have been done several years ago.

The second point I'd like to make is that it is essential that our province play a regulatory role and establish an enforcement mechanism when it comes to consumer reporting. The member, of course, has made some excellent points, and he brings forward some rules and regulations that are outlined in his bill. But specifically, if a security breach occurs and personal confidential financial information is stolen from an individual, consumer reporting agencies and financial institutions must inform the consumer.

While I agree with his point that standards of protection must be introduced and adhered to by the industry, my question is, what if the credit reporting agency does not adhere to these rules? Nowhere in this piece of legislation does it indicate the repercussions and/or the penalties associated with an offence. This is a serious question which I believe requires further consultation.

As I've stated, the Progressive Conservative Party is looking forward to continuing the debate on this legislation. I applaud the member. As I've said several times, I only wish his government would listen. It's essential that this legislation receive considerable and substantive consultation with stakeholders throughout the community of Ontario, but also to make sure that we have public hearings into this legislation. It's an important issue, and I urge the member to talk to his cabinet and his caucus and tell them to put this piece of legislation as part of government legislation. We must hear from the affected stakeholders: the people in this province who are being ripped off, who are being defrauded. We need to protect the people who have sent us here. We must be extremely effective and helpful to our consumers.

On that note, I just want to again congratulate the member. I want to look at the members opposite in the government and say to them: If you're serious about this, don't just say it in this Legislature today so that you can tell the folks back home that you're supporting it and then sit on your hands with your lips zipped at your caucus table and not see this piece of legislation come forward as a piece of government legislation by the end of this four years, because this is important. As I said, whether we're talking about payday loans or identity theft or Internet fraud, we must be protecting the consumers of Ontario. This is what the bill does. We need to put it out to the public and support the legislation, and the government ought to get on with doing something.

**Ms. Andrea Horwath:** I'm certainly pleased to speak in favour of this member's bill once again in the Legislature. It's a sign of persistence that he's continuing to introduce this bill, but it's also a sign of commitment, and I think that's the important piece. This member is committed to making a change here in Ontario. In this particular case, as he indicated in his opening remarks, part of that commitment comes from his own personal experience. From the description of that experience that he shared with us a little bit earlier on, his first-hand brush with the identity theft issue was relatively minor in terms of financial impact. He ended up receiving a credit card bill that had a couple of purchases on it that amounted to less than \$1,000. For some people, \$1,000 is a great deal of money, and for others it's perhaps not as much. But I can tell you that the incidence of identity theft leading to credit card fraud in the province of Ontario is much, much more vast than this one example signifies. I think the member actually remarked on some of the statistics that he has been able to glean from the RCMP, particularly in regard to identity theft, and credit card fraud as well.



It's interesting because this issue is one that the member raises in his bill, but it's not only in the credit reporting agencies where this is problematic, particularly in terms of identity theft. We know that this is a huge problem in terms of the Internet. I think it was only about two months ago when everybody was warned that if you do Internet banking, don't do Internet banking, because there's some new worm or some new process where hackers have gotten into people's bank accounts from following certain keystrokes and have been able to hack into people's accounts and have drained those accounts. Of course, that's something we're always having to keep an eye on in regard to technological change.

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We also remember that there was a significant criticism of the government not too long ago. The auditor was very critical of the Ministry of Health and the fact that they had been issuing tens of thousands of OHIP cards that didn't even relate to the number of people in Ontario who were eligible to hold one of these OHIP cards. So even the government's own ministry—the Ministry of Health, I would say, one of the most important ministries the government of Ontario has in its fold—experienced this whole issue of fraudulent identification being utilized to obtain OHIP cards inappropriately. We know it's an issue that touches the individual, but it also touches organizations like the provincial government.

The member did a fine job of outlining some of the progressive changes that he's hoping to make here, as did the previous speaker on the bill, the member from the Conservative caucus. New Democrats also support this bill. We believe that it provides new legislation that supports against identity theft. We believe that it improves the privacy of information that is kept by credit card agencies, and we also believe that it creates better disclosure practices. The member did go through the process of reading the clauses in the bill that specifically address many of those issues. He indicated that those were the things he felt most important.

In fact, if you go through the bill—it's the fourth time the member for Davenport has brought this bill forward. It's not a huge bill; it's eight pages long. It's an eight-page-long bill and yet the impact of it on individuals and their ability to feel secure in terms of identity theft and in terms of fraudulent practices that result from identity theft is enormous. When he spoke about the dollar value of some of these situations, it's hard to believe that a bill of merely eight pages, which has been introduced four times in this Legislature now—in fact, I was corrected. It wasn't necessarily this member who has done it all four times, but nonetheless, I think that's irrelevant. What is relevant is that a bill of this import, which is rather small in terms of the number of pages, in terms of the physical size of the bill—the impact that it can have in the province of Ontario is absolutely enormous.

I find it frustrating that when private members, during this part of our agenda, bring forward these pieces of legislation that really are pretty much no-brainers—they are pretty much no-brainers. People watching in TV land

and people in the galleries today would think, "Why wouldn't all of the MPPs in this chamber agree to this kind of a change?" It protects consumers and makes sure that if someone is utilizing information that they've provided, they get the heads-up that that's happening. It gives them a chance to correct information about them that they find out is being inappropriately recorded and stored. It creates all kinds of checks and balances that are lacking, that lead to the kind of fraud that we see in the province of Ontario.

So as we go through the process today, we'll see these members who are now present in the House—I don't think I'm allowed to talk about how many, because if I talk about how many, it will indicate how many aren't here. So I won't do that, Mr. Speaker. I won't put you in a position of having to call me to order.

Nonetheless, the reality is that I would suspect everyone in this chamber understands how important this bill is, will support it, will speak in favour of it, and yet, at the end of the day, for the fourth time, we will not have improvements to the Consumer Reporting Act in the province of Ontario. We won't get those improvements, because, notwithstanding how important this is and notwithstanding how many people speak in favour of it and notwithstanding how many people out in TV land and in the galleries are watching this, notwithstanding any of that, it takes the government to make changes to the law. Even when private members bring forward great ideas like this, ideas and pieces of legislation that are meant to really improve the situation for people in the province of Ontario—the government uses this all the time when they're trying to pass changes and they get some criticism from the opposition. They say, "Well it's children, so it's non-partisan;" "It's poverty, so it's non-partisan;" "It's this, so it's non-partisan." It's kind of their cloak in trying to say, "Don't criticize anything we do, because we're just trying to do good." The argument is bogus nonetheless.

You know what? In this particular situation, this really is a non-partisan bill. It's brought forward in the time when we deal with these issues in what is technically a non-partisan fashion, because it is private members' business. But I don't think that lets the government off the hook in terms of taking a bill that is their very own member's bill and actually making the changes. I would hope that the minister responsible—and I believe that's the Minister of Government and Consumer Services, Minister McMeekin, who's from my very own community; he represents the riding of Ancaster–Dundas–Flamborough–Westdale—would see fit to take this private member's bill and take it upon himself to introduce a government bill, because that's what it takes to become law, to get it through the Legislature.

It's about time, when we see all the tragedies and horror stories that happen as a result of identity theft in this province, that we have a tightening up of the legislation. Again, I want to commend the member. I know the member from Nickel Belt will have a couple of comments after the rotation. New Democrats think that this



bill can be improved. I hope that she'll have an opportunity to suggest some of those improvements, but New Democrats do support the bill and congratulate the member for bringing it forward.

**Mr. Kevin Daniel Flynn:** It certainly is a pleasure to join the debate today on Bill 75. I really want to thank my colleague for bringing this forward, because every so often a bill comes along in private members' time that's meaningful, that's practical, that can really make a difference, or can prevent tragedy in somebody else's life.

I think this is a good example of such a good initiative, because it talks to something that all of us deal with in everyday life, as consumers, members of a family, people who need mortgages or car loans. We all have credit cards, I assume, that type of thing. We all have bank accounts. In a modern society like we have today, financial information is transmitted on a fairly regular basis.

I think that consumers in Ontario need to be confident that that information is both treated confidentially and that should anything happen to that information, should there be a breach of security—I think under the current practice we have right now in Ontario, the consumer should be absolutely outraged that if there's a breach of security, there's no onus on the people who experience the breach to notify the consumer that that information is now out of the confidential realm and has moved into the public realm. I think it's common courtesy. I think it's the sort of business practice that should be everyday business practice in the province of Ontario.

I thank the member from Davenport for bringing forward this bill, because it really could make a difference. Certainly we've heard examples of members of this House who have experienced identity theft, where they've had issues, or they've had items charged to their own credit cards, or they've been confused with other people, and bills have been ascribed to them.

I think we can do this, and I think it's put forward by the member from Davenport in a very fair and balanced way. As I said earlier, we all know that the issuance of credit now is a part of everyday life. Credit is used in a number of business transactions, from very small to very large. I think we should expect that lenders, the people who are extending that credit, should exercise due diligence before they extend that credit. I don't think anybody's arguing with that fact, but we know that that involves the transmission of personal information.

In my opinion, consumers in Ontario don't have the protection they should have and don't have the protection that is contained in Bill 75, because currently the system is slanted away from the protection of consumers and is actually slanted towards protection of the credit-granting agencies or those people who keep that type of information. I think, if you go through the bill, you'll find some very practical information. If the average person in Ontario knew what little protection they had without the protection of Bill 75, they'd be very concerned.

I'm going to close my remarks here, but I want to extend my thanks to the member for Davenport for bring-

ing forward a very meaningful bill. I'd urge all my colleagues, on behalf of consumers around this province, to support the bill when the time for the vote comes.

1400

**Mr. Khalil Ramal:** I'm always privileged and honoured to stand up and speak in support of Bill 75. I believe I've spoken on this bill in the past—last year, I believe, when the honourable member for Davenport introduced it in this House for the third time. This is the fourth time.

Many members spoke in different fashions, but the member for Davenport brought a different approach to it today. I think his aim and goal for introducing this bill is to protect consumers across Ontario. It's a very important initiative. It's a very important bill. As I listened to the many speakers who spoke before me, they are supporting this bill very well, because we have to protect the consumer in Ontario.

I want to tell you something very important that happened in my riding. Not long ago—last week—one of my constituents came to my office and was complaining that he got five bills from the authority that looks after the 407—five bills. He assured me that he never drove on the 407. He never went on the 407. He was shocked when he received the bills. Somebody must have stolen his licence plate.

Identity theft is very common these days, through many different initiatives, because the technology is very advanced. The criminals are very advanced too. We are advanced in technology and the criminals catch up with advanced technology, because they want to hack into the computer system, go to the personal information, take it and use it against people.

This poor man who came to my office was so upset. He's not a rich person and he's being billed almost \$2,000. He doesn't have the money to pay it. He and his wife have been working hard for many years to save a little bit of money on a yearly basis, to pay the mortgage, to do some stuff in the house. He does not have the money to pay the authority of the 407. He does not know what to do. He came to my office and we filed a complaint.

The member for Davenport brings to this House a very important issue. I think all of us should support it—definitely. I don't agree with many of the speakers who spoke before me about private members' bills not going through. Since I got elected in 2003, I've seen a lot of private members' bills pass in this House. I'll give an example: the diabetes machine—what do you call it? The pump machine for diabetics?

**Mrs. Liz Sandals:** The diabetic pump.

**Mr. Khalil Ramal:** The diabetic pump machine. It has passed. And not long ago, the member for Sault Ste. Marie passed a bill that you cannot smoke while the kids are in the car. So many different initiatives are being brought to us in this House. I think of—

**Ms. Andrea Horwath:** That was a government bill, though.



**Mr. Khalil Ramal:** Well, it's our job to co-operate with a ministerial bill that fits with our government agenda. Normally, private members' bills bring awareness to the people of this government in order to be adopted and become law in the province of Ontario.

I think this member is a dedicated member. He's determined to see this bill pass. It's important, not just because he had a bad experience with identity theft, but also to protect the people of Ontario. So many people across the province, so many people across many different communities, face the same problem. I think our job and our duty, as elected officials, is to create ways—laws, rules and regulations—to protect our constituents, our people in this province.

I want to congratulate the member for bringing this forward. I'm going to support it for a second time. Also, I'm going to speak up wherever I go in order to create more awareness about it.

**M<sup>me</sup> France Gélinas:** I would like to continue on some of the comments that my colleague from Hamilton Centre had started. First of all, let's make it clear that as a New Democrat, I support this bill. It provides new legislative support against identity theft, improves the privacy of information kept by credit agencies and creates better disclosure practices. It protects the public.

As we know, identity theft is an increasing concern, with over 3,000 complaints of identify theft creating a \$7.5-million loss—and apparently this is a conservative estimate; it could be way bigger. We look forward to this bill going to committee so that we can hear from the experts, consumer advocates and people who have lived through this to get their opinions on this.

We think the bill could go a little bit further. Many states in the US have brought legislation forward around what they call credit freeze rights. Basically, it's a law that was started in California. It's called California Law SB 168. It allows consumers to freeze their credit records at each credit agency. That prevents an identity theft. That means that even someone with the name, address, social insurance number, date of birth etc. will not be able to borrow or obtain credit under that name. There are 40 states in the US that have followed California's lead. The credit freeze is so tight that it doesn't even allow the person who triggered the freeze to get credit unless they provide a secure personal identification number, a PIN number, as it's called, to stop the freeze. The service is free and it goes a long way to give people the peace of mind and the protection they want.

This bill effectively provides for credit alarms. Credit agencies would have to inform individuals about missing or stolen information, but this could be ignored by lenders, meaning that consumers may still be open to theft.

As the member from Nepean–Carleton mentioned, this bill has been presented to this House many times before. We hope that this is the time it will become the law in Ontario and that a private member's bill will actually make it through to become the law of the land. The New Democrats will support this, with some improvements.

**Mr. Tony Ruprecht:** I do have a few more minutes extra; I appreciate that. I just want to tell the House that this bill is not only costing individual consumers a lot of money and a lot of heartache, but in addition, let's consider this: In North America, guess how much money is being defrauded? It costs our whole economy over \$50 billion in fraud in terms of identity theft. It's amazing.

Let me tell you what's really going on out there. I know many members have received these kinds of letters from our banking institutions. For instance, I have one here from TD, another from RBC, another from the Bank of Montreal and others from two other banks. These are the kinds of letters that we're getting as consumers—not as MPPs but as consumers. It says the following: "Due to a recent security breach in the TD Canada Trust computer systems, we're asking all customers to immediately log in and report any unnoticed password changes, unexplained fund depletions or otherwise. We recommend you update your banking information of your accounts"—and what do you do next? What is the request here? It says, "Link up below and tell us your numbers."

There are thousands of letters going out. Guess how many people are responding to these fraudulent letters? It's a fraud. TD is on here and so is the Bank of Montreal. At first, when I got this, I thought that this is what's called an "official communication" from the bank. It isn't; this is fraud. There are thousands of people responding to this fraud because they think it's real. They think this comes from an official bank when in fact it doesn't. Guess how many people are responding to this fraudulent letter? The consumer reporting agencies tell us that 5% of Canadians are responding, are linking up and are providing all banking information that's requested here.

This is a fraud, and I would only hope that all of us will tell the people of Ontario and all the consumers, please, whatever you do, do not respond to any official-looking communication from any bank and certainly don't log on and provide personal information. Please don't do that.

We have with us today one of the vice-presidents of the Insurance Brokers Association of Ontario. They are supporting this bill as well. Why are they supporting this bill? Because—and this happened to me as well. Guess what? TransUnion sent a letter to my insurance company. My insurance company is Allstate. Allstate in turn sent me a letter saying the following:

"Mr. Ruprecht,

"TransUnion ... provides us with aspects of a consumer's credit history"—your consumer credit history—"which we use to establish a score." They have found that specific characteristics apply to me. And what is that?

"Based on your"—new—"score," Mr. Ruprecht, "with respect to your property insurance coverage"—on my house—"your premium reflects an increase from this factor."

In other words, my FICO score on my credit file went down a few numbers, and immediately what does my



house insurance do? They say, "I'm sorry, your score goes down, and up goes your insurance."

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We have a law that says when car insurance comes in that way, it's illegal. Why not make it illegal for house insurance as well? That's why I think this bill is so important.

The brokers' association says the following:

"The practice of using credit reports as a basis of premium calculations disadvantages those with poor credit, and adds to the financial burden of those who can least afford to bear it. Removing this provision would effectively prohibit this practice" and they agree with it.

"Thank you very much," they say, "we support your proposed changes." So it is clear that when the TransUnion and Equifax people provide the FICO score, they should not be able to have the insurance company tell us they'll raise the price of our insurance.

**The Acting Speaker (Mr. Jim Wilson):** Thank you. Mr. Ruprecht, you have up to two minutes to respond.

**Mr. Tony Ruprecht:** I certainly very much appreciate that this will be supported by all parties, I hope. I know that having introduced this bill previously—Bill 38—there was unanimous consent that something should be done. It behooves us as legislators to try to help our consumers.

One of the most important items in my new bill simply says this as well, that I should not be penalized for looking for a better mortgage. As it stands right now, if I as a consumer look around for different banks and ask them, "Please give me a good rate for my house mortgage" or "Give me a very good rate for my car, for my loan"—I would ask them to do that. As soon as I have more than two credit inquiries—inquiries, which are not leading to the actual loan, just an inquiry—or if you want to rent a house or an apartment and the landlord asks the credit reporting agencies, Equifax and TransUnion, for an inquiry, they would ask, "How is Mr. Ruprecht doing? What is his credit score?" So the landlord then gets the response. As soon as he gets the response, that is considered an inquiry. If there are more than two or three inquiries which have not led to an actual loan or mortgage, I am being penalized.

What's the proof? I have the proof right here. I have a number of cases, in case anyone wants to see them, where this in fact took place. That's why I say this bill is a good bill because it would prohibit me or anyone else, any Canadian consumer, from receiving an inquiry which then reflects on bad credit.

#### DIAGNOSTIC SERVICES

**Mrs. Elizabeth Witmer:** I move that, in the opinion of this House, the government of Ontario should recognize positron emission tomography (PET) as a vital diagnostic tool for care, and as such should introduce an implementation plan with timelines to achieve the same level of access to PET scanning here in Ontario as in

jurisdictions such as Alberta, British Columbia and Quebec.

**The Acting Speaker (Mr. Jim Wilson):** Mrs. Witmer has moved private member's resolution number 25. Pursuant to standing order 97, Mrs. Witmer, you have up to 12 minutes for your presentation.

**Mrs. Elizabeth Witmer:** I have brought forward this resolution today on behalf of the men and the women and children in this province who are being denied access to PET scanning.

PET scanning is the gold standard when it comes to diagnostic tools throughout the world. They help to diagnose and they help to plan treatment for patients. Regrettably, in this province, we are still doing clinical trials, which have been ongoing now for about five years. We still have no plan, no timelines, telling us when they will be accessible to all people, as they are in other provinces and other countries throughout the world. So people continue to be denied access to PETs, which, as I say, are the gold standard for diagnosis throughout the world.

I first became aware of the problems that people were having when I had a constituent in my own riding, Mike Allard, who was denied access to PET scans because he didn't fit the limited criteria in Ontario. He was going to be forced to pay the \$2,400 out of his own pocket if he were to go and get PET-scanned. Today, many doctors in Ontario, many specialists, recommend that their patients have PET scans in order that they can diagnose where the cancer is and also help in the planning of a course of action when it comes to treatment.

Regrettably, if the people are denied access—which, in most cases, the majority are—they will have to pay, out of their pocket, \$2,000. They can go to Mississauga to a private clinic, or, as many people do, they can travel to the United States or to Quebec. Unfortunately, there are many, many gaps in the Ontario health system today, and this is one of the many gaps that we do have. I am calling on the government to develop a plan and timelines in order that we can have the same access as elsewhere.

I am pleased to be supported in this resolution by CARP. I am also pleased that the president of the Ontario Association of Nuclear Medicine, Dr. Christopher O'Brien, wholeheartedly supports the resolution. I would like to quote what he has had to say, because I think it says it better than I could say it. He's the expert.

"It is a travesty that the patients of Ontario are subjected to limited access and are also subjected to inappropriate hurdles to gain access to PET scanning, a well-established and -researched diagnostic procedure....

"It is unacceptable to see patients denied access to PET scans in Ottawa when, across the river in Gatineau," Quebec, "patients with the same cancer have access to PET scanning and the beneficial impact on their care that PET scans deliver. Access to modern diagnostic procedures should not be based on postal codes.

"It's time to bring Ontario into the 21st century."



That was Dr. Christopher O'Brien, president of the Ontario Association of Nuclear Medicine.

I am also pleased to have the support of the Canadian Association of Nuclear Medicine, which embraces this resolution to provide all Ontarians access to PET scans. I want to quote their president, Dr. Jean-Luc Urbain. He says:

"Over the past three decades, all the benefits" of PETs "for the management of patients with cancer have been extensively documented...." Listen to that: "over the past three decades." Here we are in Ontario, still saying that we need to go through tests and clinical trials that have been undertaken in other parts of the world and have found that this PET is appropriate for use. He goes on to say: "Not only does this procedure save life, it also decreases the burden of disease, saves patients from inappropriate treatments and ... spares a fair amount of taxpayers' dollars for other health programs.

"In all developed countries in the world," he says, "except Canada, PET scanning is used routinely for the diagnosis and management of patients with cancer." In those countries, it is used routinely. It "is considered as unethical and malpractice not to recommend this procedure."

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He goes on to say that this is absolutely necessary, and I would support that. The time has come when the McGuinty government must recognize, as other governments throughout the world have done, that the PET is a vital diagnostic tool for care and management of treatment.

I have many testimonials here that I am going to read into the record. I can't read them all, but I was absolutely flabbergasted by the number of people who have approached me once they heard I had a resolution and was fighting on their behalf to make sure we could have fair and equitable access to PETs. If you don't have the \$2,500 that is required to get your PET at a private clinic in Mississauga or go to Quebec or to the United States, you can't have one. This government talks about the fact that they don't support two-tier medicine. We have two-tier medicine in the province of Ontario. If you don't have the money, you can't get the PET scan. In some cases, people are mortgaging their homes in order to get a PET scan, because they know it helps with the diagnosis.

I want to read one letter from Mr. Sam Bruno, cancer patient in Sudbury, who says, "I ... fully support Mrs. Witmer's resolution." He goes on to say that he's met with his local MPP, Mr. Bartolucci; he's written articles. He knows that people like CARP and unions and other patients support this resolution. He goes on to say, "My dying wish is to see Mrs. Witmer's resolution taken seriously by this government and to see it provide access to funded PET scans to Ontarians as quickly as possible. It may be too late for me but not too late for the thousands of cancer patients in this province in need of a funded PET scan. Mr. Smitherman," he asks, "will I see the implementation of PET within my shortened lifespan?"

He goes on to say: "As a cancer patient, I have been extremely frustrated and disappointed with this government's flagrant nonsense and pretence with its continuous PET scan trials. Anyone with even an ounce of common sense would agree that access to funded PET scans needs to be an integral part of our provincial health plan.

"Now, let's get this done once and for all!"

His letter is so much the same as those we get from others. Here is a mother, Mrs. Deborah Maskens, and she says:

"As a stage 4 kidney cancer patient who has travelled twice to the United States to access a medically necessary PET/CT scan, I ... support Mrs. Witmer's resolution. In my own case, a PET finding of cancer in an additional lymph node changed the planning for my surgery ... at Toronto General. Thanks to the PET scan in the US, radiologists at Princess Margaret were able to see a second area of cancer previously undetected on CT images. With this information, surgeons were able to remove all remaining cancer in one operation. Without the PET, an additional surgery or additional months of cancer treatment would have become necessary."

She concludes by saying, "I will need another PET scan early next year and sincerely hope that, next time, I will not need to board another flight out of Ontario," to the United States.

She also mentions that she's had two battles to fight. The first is the one with kidney cancer, which has very few treatment options. But, she says, the second one is even more frustrating, and that is that despite her oncologist's recommendations, the Ontario government still does not fund access to PET scanning even when it is deemed medically necessary.

Here is another one, from Margo and Eric Paraskevoopoulos. "Thank you," they say. The husband, Eric, has faced colorectal cancer and has been fighting this cancer. He was scheduled to have a CT scan to determine the stage; then they decided that they would instead go to Montreal and pay for a PET scan. That CT scan that they had, by the way, showed no cancer in his liver, and when they decided they maybe should go to Montreal to have a PET, guess what? It showed "five cancerous lesions in the liver.... When we presented the results of the PET scan to the specialist, he was surprised...." So, as you can well imagine, there was a different course of treatment undertaken for that patient.

They indicate that they were alarmed at the discrepancy between the PET and the CT scans, and they also were concerned about the long waits that they have experienced to see the colorectal surgeon and the oncologist. They are continuing now to have all their scans and tests done in Houston. Folks, this is absolutely unbelievable. They indicate they have no faith in the Ontario health care system. Here is a young man with two daughters aged four and five, and he's fighting for his life but he can't get the diagnosis and the treatment that he needs. His wife says:



"Ms. Witmer, I commend you on your fight to provide more accessibility to PET scans for residents of Ontario.

"I never understood why people who experienced injustices did not fight for change. Now I understand. It has been seven months since my husband's diagnosis, and I am already tired. But I will do whatever I can to ensure others do not have to go through what we have. I owe this to my husband and our two children."

I got letters like this—so many of them.

It is an injustice that in a province such as Ontario we do not have access to this gold standard, this diagnostic tool, which is used by countries throughout the world. I call on this government to provide a plan in order that we can have equality for all people.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**M<sup>me</sup> France Gélinas:** I am pleased to rise today in response to the motion from the member for Kitchener-Waterloo about positron emission tomography, better known as PET scans. Basically, PET is nuclear medicine imaging technology and it is used to detect and evaluate different types of cancer. How does it work? Radioactive material is injected into the patient and then the machine detects cancerous cells by measuring the amount of energy used in that area.

As of November 2007, there were 22 centres performing publicly funded PET scans in seven of the Canadian provinces. Some provinces fund a certain number of PET scans each year. In Quebec, it's 21,000; in British Columbia, 3,500. In Alberta, they fund 3,000 PET scans a year; in Nova Scotia, 1,500; in Manitoba, 1,000; and in New Brunswick, 600.

If we look at this by 100,000 of population, because not all provinces have the same number of residents, it goes like this: For Quebec, it's 272 per 100,000 residents; in British Columbia, 81; in Manitoba, 83.

The funding level varies greatly as well. It goes from about \$1.3 million in New Brunswick to \$14 million in Quebec. Ontario provides funding for PET scans through clinical trials on two registries and through the Ontario PET access program. The total number of patients, residents of Ontario, as of December 31, 2007, in those clinical trials goes as follows: We have 1,406 enrolled in clinical trials, we have 1,198 in registry studies and we have 45 that have access through the access program. In Ontario, we have nine publicly funded PET scanners and they are used for those clinical trials.

Three active clinical trials evaluate the role of PET scanning in the diagnosis and staging of head and neck cancer, metastatic lung cancer, and colorectal cancer with liver metastases.

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Two clinical trials—on potentially resectable non-small-cell lung cancer and breast cancer—have completed patient accrual and the results are presently being analyzed. I—as is the member from Waterloo—am certainly looking forward to seeing what the results are going to be so that a decision can be made.

The Ontario Cancer PET Registry Study provides PET scans for patients with a solitary pulmonary nodule, potentially resectable non-small cell lung cancer, or suspected recurrent cancers—and there are limits in those; those are from the thyroid, from the germ cells, and colorectal—with elevated tumour markers but negative anatomical findings in traditional imaging tests, such as X-ray, MRI, etc.

The Ontario Cardiac PET Registry Study provides PET myocardial viability assessments to patients with severe ventricular dysfunction being considered for revascularization or a heart transplant. Some of the examples were given by the member a few minutes ago.

Patients who are not candidates for the clinical trials or registry study may apply for a PET scan through the Ontario PET access program. The PET access program is for those who don't qualify for any other trial, but if your physician or your oncologist feels that he or she would like to order a PET scan, then the request is reviewed by a panel consisting of an oncologist, a nuclear medicine physician and a radiologist who review each application on a case-by-case basis to determine whether the PET scan would be appropriate. This is an interim measure until the clinical trials are completed and a decision is made as to how many PET scanners—when, where, etc.—will be rolled out in Ontario.

Based on current indications recommended by the Ontario PET Steering Committee, about 2,000 PET scans are currently anticipated in this fiscal year. I'm talking here of 2008. If you want to link this back to some of the stats that I said before, that would be about 16 PET scans per 100,000 population. That puts us kind of in the middle of the pack.

The five clinical trials were originally supposed to be completed in 2007, but for reasons that are unclear, they are expected to continue into 2009. For me, this raises a lot of concern. We know that the PET scan is an expensive technology, and we know that we need hard, solid evidence to make funding decisions on this new technology. What I don't want to see happen is that those clinical trials are being unduly delayed so that funding decisions don't have to be made. This would be unacceptable to this party and I think unacceptable to everybody in Ontario.

The Ontario PET Steering Committee has recommended a new pilot study because, as years go by and more knowledge is gathered about the usefulness of PET scanning, a new pilot study on diagnosis of recurring cancer is due to begin patient enrolment this spring. So it is just starting.

There are also privately owned PET scanning clinics in Canada, and Ontario has one such clinic. I think the member from Kitchener-Waterloo has mentioned in some of her examples that people have actually had to go to those private clinics. The cost of those varies between \$2,300 and \$2,800 for one scan. This is a huge amount of money and certainly out of the reach of most people on fixed incomes, low incomes or minimum wage in this province.



We do, though, in Ontario have access to 11 PET scanners that are located a little bit throughout the province. We have some in London, Ottawa, Toronto and Hamilton. Those are available for the people in the clinical trials and on the PET access program. I'm really disappointed to see that the ministry didn't see fit to have one of those clinical trial sites in northern Ontario. With the higher burden of cancer diagnoses and lower survival rates after a cancer diagnosis of people living in northern Ontario, you would have thought that one of those clinical trials would have been there, but it wasn't. They have been concentrated in London, Ottawa, Toronto and Hamilton.

Although there are a number of very well-respected oncologists and nuclear medicine specialists who support the use of PET scanning, there is still considerable debate in the medical community about the effectiveness of PET scans as a diagnostic aid in Canada. Recent systematic review concluded that: PET scans bring little benefit to diagnostics except for head and neck tumours, they can play a role in assessing recurrent and residual cancer, and they are beneficial for the identification of distant metastases in later stages of disease when tumours are larger and other results are equivocal.

The potential negative effects of extended reliance on PETs are that tests could be ordered that are not necessary, and it might deter more time-intensive clinical intervention by physicians. We have seen, through the wait-time strategy with MRIs, that although the number of MRIs that are now being performed in Ontario has nearly doubled—certainly the resources to support MRI testing have nearly doubled—the waiting list has not gone down one iota.

The main reason for this is that MRIs are now being requested for more and more procedures and diagnostics that, really, MRIs were not made for. When we see results coming back from MRIs with a diagnosis of a sprained lateral or medial collateral ligament of a knee, it leads me to ask, how can it be that any physician with all those years of study was not able to diagnose a sprained knee without an MRI? There is a little bit of a judgment call here in that as the technology becomes more and more available, it's not always being used for the intention it was put there.

As far as stakeholder positions, I agree with the member that there are very strong proponents for greater access. The Canadian Society of Nuclear Medicine is one, the Cancer Advocacy Coalition of Canada is another one, and the Ontario Association of Nuclear Medicine is another—certainly three stakeholders that have very clear positions. They want PET scanning available to all, and they want it immediately. There are other stakeholders just as important that are ready to wait for the results of the clinical trial before expanding access. Those, I must add, include the Canadian Cancer Society, which to me is also a heavyweight in that field.

We certainly recognize the importance of increased access to new technology to help with the prevention, diagnosis and treatment, but we also recognize that many

new technologies are extremely costly and that the health care budgets are increasing. There is still significant debate within the medical community about the effectiveness of PET scanning. We agree that the government needs to complete the clinical trial assessing the effectiveness of PET scanning, but we will not tolerate any delay in those assessments that would delay the making of a decision towards increasing access to PET scanning. The motion as it stands isn't clear, because it proposes equal access to Quebec, B.C. and Alberta, which, as I've already said, have already got different rates of access, so it's a little bit misguided and a little bit premature.

**Mr. Bas Balkissoon:** I'm pleased to join in and speak on this motion on positron emission tomography, better known as PET scans. The McGuinty Liberals are investing in health care after years and years of neglect under the previous Conservative government. We've come a long way. Yes, there is still more to do, and we accept that. We currently have clinical trials under way to evaluate PET technology. Two of the clinical trials have completed patient accrual and results are being analyzed by the Ontario Clinical Oncology Group. This process that the government is going through is endorsed by international experts.

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While the trials are underway, we have an access mechanism that allows Ontario patients to access PET technology today. I repeat that: Today, Ontario patients do have access to PET scans. Ontario has established one of the largest PET infrastructures in Canada, including 11 PET scanners at nine centres. Seven of these Ontario PET scanning facilities in four Ontario geographic areas participate in the Ontario-funded PET evaluation study. Recently, the Thunder Bay hospital announced the purchase of a PET/CT scanner to be operated by the research institute attached to the regional cancer centre.

Before we offer widespread access to PET scans, it is critically important that we know exactly those indications for which this is the most desirable form of a diagnostic test to be utilized. We are not in a position to offer this technology without strict guidelines about its most appropriate use.

I think that our government is being responsible. I think our government is being accountable. We are doing a lot more today than in the year 2003, when the previous government was in power. We accept that there is more to be done, but we must be accountable for our decisions. We must be responsible to Ontarians. We will do more after these trials are reviewed and we will do what is right for the people of Ontario.

We took over from a Conservative government that was closing hospitals; 31 hospitals were ordered closed while our population was aging. They were firing nurses by the thousands and compared the nurses to hula hoop workers. The Conservatives were intent on breaking up public health care. We all know that they're in favour of a private health care system. Our government is in support of the health care system that we have today.



We're working to improve it, we accept that there is more to be done and we will do that in the coming years.

This is a motion that is only intended to represent that government's viewpoint. We will do what is right for Ontario.

**Mr. Ted Arnott:** Whenever I hear Tina Turner's song "You're simply the best" on the radio, for some reason I think of the member for Kitchener-Waterloo. It's not surprising that her supporters picked this recording as her theme song for her leadership campaign in 2002, because we believe that she's simply the best member of the Legislature.

Even the Toronto Star has recognized her as "the hardest-working MPP in the province," and I couldn't agree more, although I know that the vast majority of MPPs all work very hard. Some members of the House may not be aware that this past year the member for Kitchener-Waterloo received significant recognition by Equal Voice, an organization dedicated to encouraging the election of more women. They recognized Elizabeth Witmer as "the greatest female Premier" Ontario could have, and so she would be.

I've considered it a great privilege to have had the chance to work with her the last 18 years, and hopefully for many more years to come. Through her advocacy, first as the member for Waterloo North, and since redistribution in 1999 as the member for Kitchener-Waterloo, her riding has seen major improvements to health care services. A few examples include a new cancer centre, dialysis unit and MRI at Grand River Hospital in Kitchener; a new cardiac centre at St. Mary's hospital in Kitchener; new childbirth and children's services at Grand River Hospital; the Kitchener Downtown Community Health Centre; and improved access to doctors and primary care through the introduction of family health networks, which the current government calls family health teams.

Her record on the environment is just as impressive. While she served as the Minister of the Environment, I was privileged to serve as her parliamentary assistant. During this period, she announced the date for the closure of the Lakeview generating station, which at the time was the most polluting coal-fired power plant in the province. She expanded the Ontario smog patrol and she committed \$10 million for municipal groundwater studies—a very important step towards a better understanding of this vital natural resource, our drinking water.

I could go on and on about her impressive achievements while she served as Deputy Premier and Minister of Education, including new textbooks, enhanced funding for special education and literacy programs. She supported building new schools, including St. Luke, St. Nicholas, Lester B. Pearson, Laurelwood, Northlake and St. Mary's. Post-secondary education in Waterloo region has benefited greatly because of Elizabeth's work. She has pushed for a new science research centre at Wilfrid Laurier University, my alma mater, and the University of Waterloo Research and Technology Park, among many other leaps forward at these two leading Canadian uni-

versities, and at Conestoga College, the number one institute of technology and advanced learning in Ontario.

Unfortunately, I have to say that since the McGuinty Liberal government came into office in 2003, Ontario has lost its leadership role in health care. The system today no longer benefits from the same kind of dedicated and outstanding leadership we saw when the member for Kitchener-Waterloo served as the Minister of Health, and I would say to you, Mr. Speaker, during your tenure as Minister of Health. We have not seen that kind of strong leadership since 2003. That's why she quite appropriately has seen fit to introduce this resolution on positron emission tomography scanners, or PET scanners, as they are known.

As I understand it, a PET scanner is a state-of-the-art, 21st-century diagnostic imaging technology which produces a three-dimensional image or map of the body's functional processes. It is particularly helpful to have this information if you're being treated for cancer.

At a time when Alberta, BC, Quebec and Manitoba are leading the way in providing their citizens access to this amazing and life-saving technology, Ontario, as has been so often the case under this government, lags far behind. In fact, PET scanners have been used in Canada on a clinical basis for the last 20 years.

It's not just Canada that has accepted this proven technology. The United States, Japan, Germany and many other smaller countries across Europe adopted it many years ago. It's no wonder, given the success of the PET scan as a routine diagnostic procedure for cancer patients, as well as its uses in pediatrics, cardiac disease and neurological disease.

We must listen to Dr. David Webster, a nuclear medicine specialist practising in Sudbury, who has called upon the government to finally accept the science from around the world by making this crucial tool available to all Ontarians who need it and to recognize that the time for select clinical trials is over.

We must listen to the Federated Women's Institutes of Ontario and their advocacy coordinator, Mrs. Pat Salter, who says: "It is no longer acceptable to delay this life-saving diagnostic, regardless of the position of the Ministry of Health, given this is the standard throughout the world for cancer treatment and many other disorders."

I understand that OHIP is already compelled by law to reimburse Ontarians for PET scans performed in other jurisdictions. If that's the case, what's stopping this government from providing the service here at home? Why do patients have to travel hundreds of kilometres in some cases for this medical care that they so sorely need?

Again, Ontario is falling behind the rest of the country, and the McGuinty Liberal government's Minister of Health seems completely unwilling to do anything to change it. Our health system is in desperate need of new leadership from this government. We need a system that is patient-centred and one that responds to their needs.

I urge all members of this House to listen to the doctors, listen to the patients, listen to the families, listen



to the experts and listen to the member for Kitchener-Waterloo. Support this motion and send a strong signal to the Minister of Health that he must make PET scans a higher priority.

**The Acting Speaker (Mr. Jim Wilson):** I thank the honourable member for his contribution to the debate and I thank him for his kind personal comments. Further debate?

**Mr. Khalil Ramal:** I'm honoured and privileged again to get the chance to speak on this motion brought by the member from the opposite side, talking about PET scans and radiation treatment for cancer patients in Ontario.

I am proud and honoured to be a part of the government. Since we got elected in 2003, we have invested heavily in health care, because we value the health care issues in Ontario. We think it's our responsibility as a government to treat all the people in Ontario, and all the people have the right to have access to publicly funded, accessible health care. I remember when we started in 2003, I think the budget was almost \$28 billion. The last budget invested almost \$40.4 billion in health care across the province of Ontario.

I know the member opposite brings in very important issues, and I'm glad to see our government taking steps toward this issue. We have 11 machines across the province of Ontario, at nine centres in different regions, to do pilot studies to see if this one will benefit the people of Ontario or not.

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I know that cancer patients seek all opportunities and avenues in order to treat themselves—especially their parents and their loved ones—because these are important issues and a very difficult disease. It's a very complex disease. Not many people now are able to totally get well from it or be treated 100% for it because the technology is not there yet.

One of those initiatives that the honourable member brought to this House was PET scans. Our ministry and our government want to introduce it to the community step by step in order to see if this will work or not. It has not been proven yet that it's the right treatment and full treatment in order to detect cancer, treat cancer and cure cancer.

I think it's important for us to keep talking about this issue. I'm not sure if it's the right way. I think that our government and our Minister of Health have been working very, very hard in order to seek the best way, the most important way, in order to help people across the province to be treated. We can see a lot of achievement at this level, in many different areas: MRI centres across the province of Ontario have been almost doubled since we got elected; many patients have access to health care without any problem; we lowered the wait times; and many different steps are being taken toward this avenue.

**Ms. Laurie Scott:** I'm pleased to join in the debate on the resolution that, "in the opinion of this House, the government of Ontario should recognize positron emis-

sion tomography (PET) as a vital diagnostic tool for care, and ... should introduce an implementation plan...."

I was listening to my colleague from London-Fanshawe. You don't have to look far to find out the best way. Everybody else is doing it but us. I lead with that.

I'm pleased to thank the member for Kitchener-Waterloo for bringing forward the resolution. She has certainly been a strong advocate for health care. She is our health care critic and does a great job in bringing forward the needs in that industry to the Legislature. Hopefully, with the example of this resolution, we can get all-party support so we can move forward with this very important diagnostic tool that needs to be accessible by the people of Ontario.

There's no question—I've spoken many times here as a former nurse—on the importance of preventive medicine, early detection and prevention, and better solutions for individual treatments. Early detection not only makes someone more comfortable in the long run, but it saves lives. There's no question.

When you go to a doctor or to health care practitioners of all sorts, they feel more confident when they know they've done all they can to diagnose and treat a patient. It's very frustrating when you know that a solution exists—in this case, a diagnostic tool—that can bring forward the best treatment possible for the patients they see. When you have the barriers that exist today—we have this barrier to accessing PET scans—it's just not acceptable that the McGuinty government will not move forward on this.

We've had many quotes from people. Dr. David Webster, for example, the nuclear medicine specialist at Sudbury Regional Hospital, has pointed out that PET scans will ultimately save money because they will yield more accurate diagnoses and better treatment.

PET scans are accessed worldwide, including the other provinces outside Ontario. It's not at clinical trials anymore; it's not a new or experimental procedure. We need to open PET scans to be available to all the people in Ontario who need to have PET scans.

The Ministry of Health Promotion has a budget of nearly \$400 million. One would think that, with a budget of this magnitude, they would be able to come to the conclusion that Dr. Webster has and would demonstrate interest in actually promoting health and making the lives of Ontarians more comfortable as they battle major illnesses like cancer and heart disease.

I'd like to remind my colleagues in the Legislature that one in four people will die from cancer. Based on current incidence rates, 39% of Canadian women will develop cancer during their lifetime, and 45% of men will. Those are staggering statistics.

I think that we all have to step back and say, "How do we approach this as a team?" It's very hard. I know that political cycles tend to be shorter than planning-for-health-care cycles, but sometimes, please, just take the politics out of it and move forward for what's best for the people—in this case, of Ontario—in their health care.



If you look at the data from the US National Oncology PET Registry recently released, it shows that 38% of patients who had a PET scan were able to have their treatments changed as a result of the findings of the scan. These were changes for more effective treatment. If there is access to PET scans, there are some treatments that people are going through that they wouldn't have to go through. They would be ruled out; they wouldn't be effective. I just can't tell you how much of a difference that makes in someone's life.

The evidence is staggering. Again, I go to the Ministry of Health Promotion website. It says that the ministry will help Ontarians lead healthier lives by delivering programs that promote healthy choices and healthy lifestyles. It's kind of ironic that people are leaving the province to get their badly needed PET scans. This is not delivering programs, and it's certainly not promoting healthy choices for better treatment solutions.

It's quite another thing, and I think this was brought up earlier today, that Ontario is the second-largest PET installation base in Canada but it's not delivering a PET scanning program. So you go to all this trouble to oversee installations, and then you stall on clinical trials of over 1,000 individuals instead of helping the estimated tens of thousands of people waiting for a PET scan.

My colleague from Newmarket–Aurora has raised in the House a number of times the installation and operation of cone beam CT scanners in private dental practices. The Ministry of Health and Long-Term Care is just starting to determine the process on the rules and regulations related to the operation of the dental CT scanners in all settings. The minister can't drag his feet on the heels of these useful devices the same way he has on PET scanners. The approval will not cost the government anything. Ontario has an opportunity here to be ahead of the curve when it comes to health care and the promotion of health, as a health care leader. We have the largest population of any province, and this should be reflected in our ability to deliver first-rate health care to the people of Ontario. Instead, we're the only province that has not approved the use of cone beam CT scanners in dental offices. Instead, dentists are sending people to get in line for their CT scans at hospitals, a drain on our health care system and a greater radiation risk than the cone beam style of CT scans that could be available in dental offices.

As a nurse, as the health promotion critic and especially as a citizen of Canada and a resident of Ontario, I urge the government to recognize PET as a vital diagnostic tool for health care and preventive medicine. I thank the member for Kitchener–Waterloo for bringing forward the resolution today, and I am hoping that all parties can take the politics out of it and pass this resolution.

**Ms. Helena Jaczek:** I'm pleased to speak to ballot item number 29. I think that some of the comments of our colleague from Haliburton–Kawartha Lakes–Brock to try and look at this from a non-partisan position are important suggestions. When I heard about this particular ballot item coming from the very well-respected member

for Kitchener–Waterloo, a former Minister of Health, I decided to delve a little more deeply into this particular issue.

It is clearly a prudent approach that our government has taken, one that shows our dedication to fiscal responsibility. We have a consistent approach in our government that all new health technologies that appear promising but for which there is insufficient quality evidence of clinical utility to justify multi-million-dollar funding, need to be subjected to very careful evaluation. That's the approach that we have adopted here in Ontario.

Our colleague from Nickel Belt mentioned the fact that notwithstanding the 11 PET scanners at nine centres, unfortunately Sudbury does not have one in place. I know that she will be happy to hear that since October 1, 2007, the northern health travel grant is available to all northern patients referred for PET scanning.

When we look at the clinical trials and the registries, we see that there has been a large target enrolment. As an example, the head and neck cancer clinical trial—a cohort trial—has a target enrolment of 400. As of March 31, only 328 have been enrolled, so there is certainly more space. There are spots for people in that particular clinical trial, as there are a number of spaces in the stage 3 lung cancer trial. It's interesting to know that there are well over 3,000 individuals who have accessed PET scans through the Ontario PET evaluation trials and registries.

**1500**

There have been some quotes from some noted authorities, and I'd like to quote Dr. Bill Evans, chair of the Ontario PET steering committee, oncologist and president of Hamilton's Juravinski Cancer Centre, an excellent centre: "There has been criticism in Ontario in its seeming tardiness to adopt. But it's a decision taken by cancer specialists of the province, various surgeons and medical and radiation oncologists...."

"In cancer, we have to figure out how best to use it. When the clinical trials are completed, there will be a complete evaluation."

**Mr. Shafiq Qaadri:** First of all, it's a privilege to speak on this particular issue from, as reported, the hardest-working MPP, the Honourable Elizabeth Witmer, former Minister of Health and current MPP for Kitchener–Waterloo on ballot 29, "That, in the opinion of this House, the government of Ontario should recognize positron emission tomography"—or PET scanning—"as a vital diagnostic tool for care, and as such should introduce an implementation plan with timelines to achieve the same level of access ... here in Ontario as in jurisdictions such as Alberta, British Columbia and Quebec."

I think there are a number of issues that are important, and I would thank our honourable colleague for raising this particular issue. Of course, as a physician MPP, I certainly support the broad outlines of attempting to bring 21st-century technology to a wider audience, a wider participation rate, so that we, as physicians, may be



further empowered to diagnose, treat, monitor and intervene on an earlier and earlier basis.

I think, though, perhaps some of the political rhetoric embedded in the commentary or within in the ballot item itself is largely being addressed, because as you know, the government of Ontario, with its current health budget of something on the order of \$40 billion plus, having increased from \$28 billion when we took office in October 2003, has demonstrated its extraordinary political will, the McGuinty vision and a real resourcing of the health care sector broadly.

I'll give you a case in point very briefly in the 47 seconds that I have left. PSA testing—cancer testing for men—is now covered. A female patient came to me and said, "Doctor, I want you to do a PSA test." I said, "Why?" "I want to find out if I have prostate cancer." I said, "You don't have prostate cancer." She said, "How do you know unless you test me?" The reason I bring that up in a somewhat humorous way is that if we allow unregulated widespread access to, let's say, the latest fashionable test of the day, it will probably be misused, overused and abused. That's why I think the government is taking a measured approach with the clinical trials at a research level, gathering the facts and information so this modality—very extensive, as you know—can be used judiciously.

**The Acting Speaker (Mr. Jim Wilson):** Mrs. Witmer, you have up to two minutes to respond.

**Mrs. Elizabeth Witmer:** I want to thank all the people who spoke to the motion. I would encourage the Liberal members to look at the motion. The motion is simply committing your government to introduce a plan of implementation with some timelines in order that Ontarians will know when they can achieve fair and equal access to PET scanning here in Ontario, similar to the access that we have in other parts of Canada, such as British Columbia, New Brunswick, Manitoba, Quebec or Alberta, and also the same access that people in other countries of this world, such as Chile, Lebanon, Argentina etc., have to PETs. That's what we are asking for in order that people may know that the time will come that there will be equal access.

I think I've pointed out that this is a diagnostic tool that is the gold standard in the world today. It is being used by other governments. The clinical trials and tests that are being undertaken here in the province of Ontario that were to last two years have now gone into almost five years. In fact, one of the members of the PET scan steering committee, Dr. Charron of the Hospital for Sick Children, resigned two months ago because he said that there's an obvious ethical problem with a technology that can benefit cancer patients and the fact that it's unavailable to most of them under the presumption that it's being studied.

The time for study is over. It has been studied to death by other countries and provinces. It has been accepted for use. We know that it has a big impact in the diagnosis of cancer and certainly in the treatment. The latest data from the US said that 38% of patients had their management

changed to a more appropriate therapy. This certainly demonstrates the need for PETs. I urge you to support the motion.

## HEALTHY SCHOOLS

**Ms. Leeanna Pendergast:** I move that, in the opinion of this House, the government of Ontario develop an "Eat Local: Live Fresh" food miles strategy to encourage publicly funded schools to serve healthy, local Ontario foods to their students.

**The Acting Speaker (Mr. Jim Wilson):** Pursuant to standing order 97, Ms. Pendergast, you have up to 12 minutes for your presentation.

**Ms. Leeanna Pendergast:** I rise in the House today to call on the government of Ontario to develop and encourage publicly funded schools to serve healthy, local Ontario foods to their students. I'm thrilled that today our gallery is full of young students from our schools in Ontario. I'm calling on schools to change: to change the philosophy under which we operate, to change the way we make healthy choices, to change because it's the right thing to do. It's for our children, and I will speak to the ripple effect this has from childhood to aging.

We have removed trans fats from school cafeterias. Let us replace them with healthy choices and local choices, to reduce the food miles that our food travels. The concept of food miles is used to describe the distance that food travels from the location where it is grown or raised to the location where it is consumed. In Waterloo region alone, imports of 58 commonly eaten foods travel an average of 4,497 kilometres to the region. These imports account for 51,709 tonnes of greenhouse gas emissions annually, contributing to climate change and air quality, both of which have an effect on human health.

A significant opportunity exists to reduce our contribution to global climate change and air pollution by replacing imports, while at the same time doing the right thing for the health of our children with food items that are sourced locally. The implications are boundless, including strengthening our communities, our economies, reducing the carbon footprint, supporting our farmers, health and wellness, and teaching our students good choices.

Schools are the microcosm of larger society. What we begin here will spill into the larger communities. Beginning with schools, the Healthy Food for Healthy Schools Act has set the stage. This act amends the Education Act to add provisions regulating the trans fat content of all food and beverages sold in a school cafeteria. The bill bans trans fats from food in school cafeterias and vending machines and calls for healthier menu choices in cafeterias.

According to a report published by Health Canada, while most Canadian children and youth are healthy, a number of nutrition concerns do exist. Poor eating patterns contribute to chronic health problems such as cardiovascular disease, diabetes, cancer, and later in life,



osteoporosis. Obesity in children is increasing. Inadequate nutrition affects the long-term development of our children. We owe it to our children to offer them healthy choices within the very educational institution in which they spend their days: schools.

We have a responsibility to provide our youth in schools with healthy choices, as well as to educate them with health and wellness courses for them in the long term.

1510

"Eat Local: Live Fresh" will provide an enhanced learning experience for Ontario's schoolchildren by supporting their sense of local identity. According to the CSPI study *Are Schools Making the Grade?*, "Poor nutrition is a key preventable risk factor for the major chronic disease that takes a huge toll in morbidity, disability and premature death in Canada."

The fear is that "today's generation of children may be the first in a long time to live shorter, sicker lives than their parents."

Poor nutrition is a key preventable risk. This government has taken the first steps with the Healthy Food for Healthy Schools Act. Now let's take the next step and replace trans fat with healthy local choices that support agriculture and build local economies and strengthen our local communities.

Premier Dalton McGuinty has pledged to work with farmers, the agri-food industry and community organizations to increase the public profile and sales of Ontario food products. This government will invest \$56 million over four years to promote Ontario food products for farmers' markets. This encourages all Ontarians, when grocery shopping or dining, to pick Ontario freshness.

We need to move that Ontario freshness into our schools and make the opportunity to Live Fresh available to our students in schools. Premier Dalton McGuinty has said, "Everyone has a role to play to support Ontario agriculture," and, "If we buy Ontario, everyone wins because we are supporting our farmers, our processors, our rural economy, our environment and ourselves with healthy food from here at home." Healthy food from here at home reduces the food miles travelled, reduces the carbon footprint, and supports local farmers, local agri-tourism and the local economy.

Our students have a role to play in this beyond better health, beyond learning wellness, right into developing their own commitment to their local communities at a grassroots level. They learn a sense of dedication and commitment to their world, and they will continue to choose to live local; they will continue to choose to eat fresh.

This will promote a sense of mutual prosperity based on confidence. Students will feel satisfaction by supporting local farmers, and food producers will also be encouraged to reinforce their quality control when they know that their product is being consumed in their own backyard.

The Ministry of Agriculture, Food and Rural Affairs is involved in the Pick Ontario Freshness marketing stra-

tegy and Foodland Ontario to build awareness of and demand for the fresh, high-quality foods grown and produced in Ontario.

The benefits of eating local and living fresh, both in our schools and at a community level, are tremendous. The community of Kitchener-Conestoga and the larger Waterloo region have rallied together to support this resolution of a "Eat Local: Live Fresh" food miles strategy. We have several exciting initiatives occurring that both support this resolution and deserve recognition.

St. Mary's High School, one of the largest schools in Waterloo region, has not only moved to reduce the trans fats from its cafeteria, but has also taken the next step to move forward. A student-led initiative to serve healthy foods in their cafeteria has resulted in a school policy to that effect. The exceptional part of this is that it's student-led, it's student-inspired, and it's student-driven at the grassroots level.

We are continuing to look at the aspect of reducing food miles and supporting local agriculture and farmers' markets. Anne Facey, who is the director of the St. Mary's High School progressive cafeteria policy, states: "Kids consume half of their daily calories in a high school setting. We have a responsibility to educate them about their nutritional health and raise awareness about the socioeconomic factors surrounding where their food comes from."

Foodlink of Waterloo region, under the leadership of executive director Peter Katona, is a grassroots organization made up of farmers, food businesses, consumers and other community stakeholders who are committed to putting local food on local tables. Since 2002, Foodlink has been committed to championing a healthy local food system to sustain our community food producers. They've taken a leadership role in linking rural and urban towards a common appreciation of local food and its role in building stronger communities. The Buy Local, Buy Fresh map marks its sixth year in Waterloo region. It features farmers, along with local farmers' markets, food processors, restaurants and shops, and they support local food. As Peter says, "Local food is not cheap; it is priceless."

Foodlink supports the "Eat Local: Live Fresh" resolution and is pleased to support healthy food in our schools. Peter Katona also says, "In Waterloo region, if you have gone 100 miles to localize your diet, you have likely gone 90 miles too far."

The Herrle family in my riding of Kitchener-Conestoga has become a local tradition in the region and has been growing and marketing fruits and vegetables in Waterloo region for 45 years. They state the following:

"We believe that the promotion of a local food economy in our schools is a priceless lesson we can teach our students. The 'Eat Local: Live Fresh' program will be a healthy boost to our students, to our environment and to our local economy. The Buy Local, Buy Fresh campaign has had a tremendously positive impact in our region. May 'Eat Local: Live Fresh' be embraced the same way."



Under the leadership of president John Tibbits and his team—Marlene Raasok, John Richards and Elissa Bonin—Conestoga College is developing a wellness concept called Choosing Lifestyles of Health to implement in their programming so that our students can continue to develop healthy lifestyle choices. They are moving toward a centre for wellness excellence or a one-stop shopping model for student wellness. The student association supports this concept. President John Tibbits supports “Eat Local: Live Fresh” and he says, “We want to be fit to live, not just live to be fit.”

Dr. Ron Schlegel in my riding has formed a unique partnership between Schlegel—University of Waterloo Research Institute for Aging, or RIA, and the University of Guelph to ensure that optimal food and nutrition are at the forefront of disease prevention and long-term health planning, and we must continue to do that health planning for all ages.

St. Mary’s hospital in Kitchener has been honoured as well for its neighbourhood market. They are thrilled to be recognized as innovators among their peers.

As you can see, this concept of “Eat Local: Live Fresh” food miles strategy is embraced in Waterloo region, both within the school setting as well as within the larger community.

Today I call on the government of Ontario to recognize the priceless benefits of a “Eat Local: Live Fresh” food miles strategy and encourage its implementation both within our schools and throughout our communities as a whole across this province. It’s the right thing to do for our children; it’s the right thing to do for their future.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mrs. Elizabeth Witmer:** I’m pleased to very briefly join the debate on the motion that has been put forward by the member for Kitchener—Conestoga, where she is calling upon this House to develop an “Eat Local: Live Fresh” strategy to encourage our publicly funded schools to serve healthy, local Ontario foods to their students.

Many of the people she has talked about as supporting this—Dr. Schlegel, Dr. Tibbits, and the Herrle family and the fresh farm produce that they produce and sell—are close to my riding. I just want to congratulate her on bringing forward this particular resolution. I think she has done a good job to raise awareness one more time about what is necessary if our students are to be as healthy as they possibly can be. We see obesity in our schools, and it’s important that students eat healthy. Of course, whenever we possibly can, if we can eat foods that are grown locally, all the better for those who provide those foods.

I congratulate her on her resolution and certainly will be supporting it.

1520

**M<sup>me</sup> France Gélinas:** I’m happy to rise and talk about “Eat Local: Live Fresh,” the food miles motion. Certainly, the NDP supports the eat local movement and would encourage the government to do everything in its

power to increase the amount of local food served in our public schools. We have long supported nutrition in schools. Former NDP colleague MPP Tony Silipo introduced the first school nutrition program, and that was 15 years ago.

Eat Local is a win-win scenario: It supports local farmers, it reduces the impact on the environment of transporting food, and it encourages consumption of healthy, fresh produce.

The member from Kitchener—Conestoga said that schools are a good place to start, and we would agree. Eating patterns and habits started in childhood and youth tend to endure throughout adulthood.

It is particularly critical to encourage the provision and consumption of local and fresh food in schools at this time. Why? Obesity rates are climbing due to poor diet and lack of exercise, especially among young children; children and youth are increasingly targeted by advertisements for fast foods and processed foods, both very unhealthy; and financially stressed schools are increasingly selling things such as chocolate bars and other unhealthy foods to raise funds for basic programs because they just don’t have the budget to do so otherwise.

An eat local, eat fresh strategy needs to be more than symbolic. The strategy needs to be comprehensive and include education, legislation and financial support.

If you talk to the public at large, everybody will tell you it is a good idea. So why aren’t we doing it? Well, we’re not doing it because there are some structural issues. The eat fresh, eat local strategy needs to effectively respond to those structural issues that mitigate against the purchase of local, fresh food. Education and provision of information is important, but raising awareness is not enough. We need to address the current barriers to the purchase of fresh and local food.

First, I want to talk about the financial barriers as well as the time pressures on individuals.

Some 340,000 Ontarians rely on food banks each month. They have to rely on mostly second-rate canned and packaged goods that are not fresh and probably not local. If the food bank is lucky enough to have some cash donations, they will buy milk. Why? Because 60% of the food bank users are kids, and we know that they need milk.

Today is National Hunger Awareness Day. An important part of any strategy to promote fresh and local food is a strategy to end hunger in a wealthy province such as Ontario. Such a strategy means ensuring that all Ontarians have access to adequate incomes, whether through fair wages or decent income supports for those who are not able to work. That is the only way that all Ontarians will be able to purchase healthy, local food.

Time is also an issue. Too many Ontarians are working multiple jobs to make ends meet. They have no time to seek out and purchase local, fresh produce that is not available in the corner store or the local supermarket but that you have to go around to the producers to get and then prepare.



Second, advertising: An eat local, eat fresh strategy needs to include legislation to ban advertising of junk food and pop in schools. It is presently being done in Quebec, it has been in the UK for some time, but it is not here in Ontario. It should ban junk food advertising to kids outside of schools, as some other countries have done. We need to recognize that multinational companies are spending hundreds of millions of dollars on sophisticated and very cool ads, but those ads are aimed at getting kids to become hooked on sugar, salt, caffeine and other unhealthy chemicals. Most of them have no nutrients whatsoever. Without bans and controls on junk food advertising, any government strategy will be only a drop in the bucket.

Third, we need to adequately finance our schools. Parents are put in the difficult situation of having to raise funds to cover basic educational needs: classroom expenses, library books, sports equipment, music, IT—the list goes on. When the school doesn't have enough money to provide the basics needed for education, it's very hard for those same schools to think of spending locally, eating fresh and eating local.

One of the easiest ways to raise money, of course, is to sell junk food. Has anybody bought a chocolate bar lately from those cute little guys who come to the door, raising money for their school? I know I have. They also hold barbecues, and what do you find at those barbecues? Hot dogs and pop. I've paid my dollars for hot dogs and pop. I want to support my local school, but at the bottom I know that this is not healthy. We are sending a message to our kids that is wrong.

For a school to be in a position to implement an "Eat Local: Live Fresh" policy, they have to have adequate financial resources so they aren't put in a position where they have to fundraise for the basics. Schools also need financial support and incentives to purchase local and fresh food and be able to pay for the storage, the environmentally friendly utensils and plates etc.

It is heartening to see that there is a growing movement in support of the purchase of local food. Yesterday, the city of Markham became the first municipality to implement a local food procurement policy, ensuring that a minimum of 10% of its material and produce comes from LFP-certified Ontario farmers, with further increases of 5% per year.

Also, Local Food Plus in Toronto has developed a certification for local, sustainable food that includes sustainable production, safe and fair working conditions for on-farm labour, and reduced food-related energy consumption and greenhouse gas emissions.

The agricultural sector is beginning to respond to the Eat Local movement. Historically, our agricultural sector has been thought by the government to be an export sector. The vast majority are large farms that are growing produce for export. However, with the rising cost of gas and oil, things are beginning to change and a movement is growing to buy directly from the local farmers. But it is not easy.

I want to give an example from my riding. Although we have quite a few chicken farmers and egg producers, there is nobody in and around Sudbury who can get that accredited—if it's a small, medium or large egg. It doesn't seem so high-tech to me to see if an egg is small, medium or large, but because we haven't got anybody, we cannot buy fresh eggs from our egg producers in Sudbury. They have to be shipped out, measured—small, medium, large—and then God knows where they end up. If you want to buy local eggs, you have to go to the market, you have to go to the farmer. Why am I not allowed to buy local Sudbury-grown eggs in my supermarket? It's beyond me.

Hagar, which is just on the edge of my riding, has about 30 farmers who have been brought together, each investing \$3,000 of their own money to open a slaughterhouse, because there are none to be found in and around Sudbury. This is the type of partnership and management that would be managed by an intermediary who already processes meat bought from the packers. The farmers are waiting to hear back from the Ontario Cattlemen's Association's expansion program with the hope of the program starting in October.

There are many more examples of structural barriers to eating locally and eating fresh. If we want those programs to be successful, we have to pay more than lip service to them. We have to look at those structural barriers and change them, and this is what the NDP intends to do.

1530

**Mrs. Liz Sandals:** I'm very pleased to rise and speak in support of the motion by the member from Kitchener-Conestoga.

As has been noted earlier, we understand that there is an increasing problem with our school-aged kids with the issue of obesity. If you look back at the data from about 1977 or 1978, back in there, the official stats told us that about 13% of children were overweight or obese. If you look at the current data, we find that that rate has doubled. We now find that 26%, or about one in four kids, are overweight or obese. Clearly, that's an alarming statistic, particularly because we know from all the medical research that if a child is overweight early in life, they're likely much later in life to have difficulty with diseases such as heart disease, diabetes, cancer, osteoporosis and a variety of issues.

Our government has taken a couple of steps to deal with that. We know that the issues related to childhood obesity are a lack of exercise, and poor nutrition habits. In terms of the sedentary lifestyle that we know a lot of kids have, we now require that there be phys-ed every day in our elementary schools, to try and get our kids to be more active.

We've just recently passed a bill called Healthy Food for Healthy Schools. It does three things. First of all, it bans trans fats from being sold in schools, predominantly school cafeterias but also any other forum where food is routinely being sold. It focused on processed trans fats. There are small amounts of naturally occurring trans fats



in dairy products and ruminant meats, and they are exempt. The processed trans fats, which cause the health issue, are being banned. We're also banning junk food from school vending machines.

The third piece of this, which we are currently working on, is providing broader nutritional guidelines for all foods that are sold to kids in school. That's where this motion from the member really fits in very nicely: As we develop those broader nutritional guidelines based on Canada's Food Guide, we expect that we will be getting away from the fries and some of those other sorts of staples in school cafeterias and looking a lot more at a healthy diet. There's a great opportunity here, as we have a healthier diet in school cafeterias, to bring in local foods.

I live in a part of the province where in fact the major grocery store chain actually does have flats of locally grown strawberries in season and crates of locally grown corn in season, but I know as I travel around the province, if I'm on vacation and go into a grocery store, that's not always the case. It's often a huge issue actually even being able to access locally grown foods in our grocery stores.

There's an opportunity here not only to provide foods but also get students to start to think about where the food comes from. How many of us know when we go into a grocery store whether the meat came from the farmer down the concession or whether it came from Australia, from New Zealand or from Texas? I have a huge abattoir in Guelph that produces boxed meat, yet if you go and look at boxed meat, you will find that most of it comes not just from out of the province but out of the country. If we adopt these sorts of programs, we can start to educate our kids to find out where their food comes from, because in a lot of cases, you would be very surprised at the answer. It doesn't come locally. We need to give much more thought to the Foodland Ontario program and to this motion, "Eat Local: Live Fresh," and make sure we get more local foods.

**Ms. Laurie Scott:** I'm pleased to join the debate on the resolution today before us that would encourage publicly funded schools to serve healthy local Ontario foods to their students, brought forward by the member from Kitchener-Conestoga. I have spoken many times in the Legislature about how important agriculture is to the riding of Haliburton-Kawartha Lakes-Brock and about all the farmers and producers I have. Again, the slogan "Farmers Feed Cities" fits. It's in many of our constituency offices, and we participated in many of their education campaigns out there.

I'm pleased to support the principle of the resolution. It stresses the need to promote our products and, in turn, let our producers know that we value them and support them.

I'd like to point out one fact. In the backgrounder, the member from Kitchener-Conestoga listed some excellent examples of community leadership on that front. Kawartha Choice FarmFresh, which is in both Peterborough county and Kawartha Lakes, is an excellent example of

great community leadership, showcasing local produce with end-of-the-laneway farm signs so they know they can come up the driveway and buy farm produce, and also the farmers' markets that we have throughout many of our small communities and that started on the May 24 weekend. We'd like to see them expanded. I would like to see a year-round one at the new Lindsay Agricultural Society and bring people from Toronto to the area, because we have many products all year round. I have many goat dairy industries that are quite attractive to urban dwellers, and the products they produce are fantastic. It's interesting that we could maybe make that connection. But they certainly need to be added to that list.

The Ontario cattlemen were here and served fine beef this week to all of the MPPs, and the Foodland Ontario programs are out there.

As opposition critic for health promotion, I certainly agree with promoting healthy choices in diets and helping kids make decisions. We need to start to educate them early as to how food is produced. As we've all seen the price of fuel and the cost to the farmers increase, we need to assist more of our local farmers and buy more locally. I know that the Dairy Farmers of Ontario have been working hard, creating great leadership in the school milk program currently used in the province. I've met with many members in my local riding from the DFO. They want to expand that milk program to include milk from cows that are fed a diet with DHA omega 3, which is instrumental in the development of the brain, the eyes and the nerves in the critical years of youth in their physical development.

I know that my colleague from Oxford is going to speak further on this, but I just want to comment that our farmers in Ontario need help. They have been asking the government for help for a long time. There is no question that we support the intent of this resolution. Our farmers need a long-term, sustainable plan for our agriculture sectors or they're not going to be able to grow the local food that we eat, and it is getting to be that crisis. We cannot push any more farmers out.

In 2005, the Kawartha Lakes Chamber of Commerce said, 50 farms closed down in my area. It's many more than that now. The input costs are growing extremely high. The cost of production is so much that they need political support. There has to be the political will that we want our farmers to stay in business and produce the high quality of food that they do produce.

I appreciate the resolution that has been brought forward today, and I know my colleague the member from Oxford is going to expand at length on that.

**Ms. Andrea Horwath:** I'm pleased to have a couple of minutes to talk about the "Eat Local: Live Fresh" motion from the member for Kitchener-Conestoga. People think that Hamilton is a big city, and it is: 500,000 people; that's fairly big. So it's perceived as a city, but in fact one of the major industries in Hamilton is agriculture. We have a number of farming enterprises around Hamilton in what used to be some of the smaller com-



munities that became a part of Hamilton during amalgamation.

I know for sure that there are several initiatives being undertaken to try to get people to tie into our local farmers and to purchase their foods. One of our current city councillors is a former farm family of the year, from his area in Flamborough. There are organizations like plan b Organic Farm. They provide the opportunity for people to enlist in a program whereby they pay a certain amount of money and, every week, groceries are delivered fresh from the farm for the families to consume over that week. We have organizations like the Conserver Society, Environment Hamilton and others that are encouraging people to acknowledge the importance of eating from our local farms.

1540

We have a new farmers' market that was relocated right into a neighbourhood on Ottawa Street. It used to be located in a mall parking lot, and now it's really engrained into a neighbourhood in a business district, which is quite fabulous.

We have a number of community organizations, including our community health clinics, the North Hamilton Community Health Centre, that have implemented community gardens for people who don't have land of their own and who can go and produce vegetables and things over the summer to feed their families from a fresh, local perspective. We have a new such enterprise on the Hamilton Mountain at 1605 Garth Street that I was invited to attend.

But we also have things like CanGro, where the government of Ontario didn't support the operation and farming of those peaches and we no longer have that industry. That's a shame.

**Ms. Helena Jaczek:** Again, it's a pleasure to be able to support the member for Kitchener-Conestoga's resolution to "Eat Local: Live Fresh," whereby we will be encouraging publicly funded schools to serve healthy, local Ontario foods to their students. I see this as building on Bill 8, the Healthy Food for Healthy Schools Act, that recently received third reading, where we banned trans fats in school cafeterias and vending machines. This is a concerted effort on the part of our government to bring full attention to the issue of how good nutritional practice can positively influence our health. I think, as everyone is becoming increasingly aware, that poor eating habits do contribute to chronic health problems, whether they be diabetes, heart disease, cancer, osteoporosis, so the patterns established in the early years are ones that will produce lifelong benefits for our children, and perhaps our children will influence their parents to look at good nutritional programs as well.

The Ministry of Health Promotion, of course, is very much involved in promoting the concept of eating as many fruit and vegetable servings a day; five to 10 is obviously an excellent idea. When these are locally produced, obviously there's less need for preservatives, fewer chemicals, which can also potentially influence our health.

The northern fruit and vegetable pilot was a program the Ministry of Health Promotion introduced in 2006-07, and that was in conjunction with the Ontario Fruit and Vegetable Growers' Association, the Ontario Ministry of Agriculture, Food and Rural Affairs, and the Porcupine public health unit, schools and local school boards. They started off by providing three servings per week of Ontario-grown fruits and vegetables to 5,000 students in 24 elementary schools in Timmins, Schumacher, South Porcupine, Porcupine, Matheson, Iroquois Falls and Cochrane. Obviously, accessing fresh fruit and vegetables is a challenge in the north. We have recently expanded that program and now it is in 60 elementary schools in Porcupine and Algoma regions.

These are examples of very positive steps that our government is taking in order to encourage individuals to eat fresh and local.

I also wanted to mention a very useful interactive website that you can access through the Ministry of Health Promotion website: the EatRight Ontario interactive web—and also a call centre, for those who are perhaps less likely to use the Internet. It enables Ontarians to readily access up-to-date, comprehensive nutrition information and advice on healthy eating from a registered dietitian.

Hopefully, all these measures will reap long-term benefits for all Ontarians.

I commend the member for Kitchener-Conestoga for bringing this resolution forward.

**Mr. Ernie Hardeman:** I'm pleased to rise to speak on and support this resolution, which would bring more locally grown Ontario food into our schools. I want to recognize the member for Kitchener-Conestoga, who has not been here very long yet, for bringing her first private member's business into this House and deciding that it was important to bring in an agricultural piece of business, a resolution to ask the government to prepare a strategy for doing a better job of getting Ontario food into our schools.

I just want to point out that over the past three years the locally grown movement has been increasing. We heard the member in her introductory remarks point out the 100-mile diet, in which people attempt to eat only food that is grown within 100 miles of home. I want to say to everybody in the Legislature this afternoon that if you use that 100-mile rule, all the good food in Oxford county is eligible to fit the criteria. So from here on in, you will eat nothing but the best if you stay in the 100-mile radius.

More and more people are recognizing the value of eating locally grown food. I think there are a lot of reasons for this movement, and it's worthwhile. It means the food meets high Ontario standards; it means that we aren't wasting resources, including the environment, by shipping foods long distances, as was mentioned by the member; and to me the most important part of it is that it supports our local farmers and our local agriculture industry. That's why I support the principle of this resolution. I believe that our schools should already be serving



locally grown Ontario foods. In fact, one of our party's campaign commitments was that all Ontario public institutions, from schools to hospitals, would purchase foods from Ontario farmers. We also committed to promote Ontario-grown foods by ensuring that when people went to a cafeteria in a hospital or a public building, they would see a sign telling them that the food they are being served was grown and produced by their fellow Ontarians.

Over the last few years, as the member pointed out, the McGuinty government has been quite comfortable telling schools what they can and can't serve, and banning trans fat from the cafeteria. If the McGuinty government feels they should tell schools what food they can serve, why haven't they already said that the food they are serving should be Ontario food? It would have been easy to include that change in the Healthy Food for Health Schools Act, which was introduced by the Minister of Education, Kathleen Wynne, and passed on December 5, 2007. The bill bans trans fat from food in school cafeterias and vending machines and calls for healthier menu choices in cafeterias based on the new Eating Well with Canada's Food Guide. I don't see that it would have been very difficult to have included, and they should give preference to, food produced in Ontario.

That wouldn't have been the first place that happened. There was legislation passed in the state of Washington. The reason I mention that is because the approach that is being recommended here is to develop a strategy, not what that strategy will be. This bill that was passed in Washington "eliminates low-cost bidding requirements for school purchases of Washington-grown food and allows schools to adopt price preference for local food." It was mentioned in the member's presentation that it isn't cheap, it's just the best buy.

The second one is, "requires development of food procurement procedures for state entities to encourage and facilitate purchasing of Washington-grown to the maximum extent practicable." Again, it's not suggesting that you would always have to have Washington food, or in this case Ontario food, but in every case where it is possible and practical it would be done.

"Requires all state food contracts to include a plan to maximize the availability of Washington-grown food purchased through the contract." If that were passed by our government in Ontario, it would be a great boon for our farming communities.

I just want to point out that this legislation in Washington promotes local produce being produced and served in schools, and the bidding process allows schools to take into account where the food was grown. Again, it may not be the cheapest food, but because it was grown at home, that's the one they're allowed to purchase. They don't always have to take the best price.

So why in Ontario does a government member need to use private members' business—and I appreciate that she did—to ask her own government to develop a strategy to bring Ontario food into schools? The ability was there all along. Why didn't they do that? Why hasn't the Mc-

Guinty government already included that in their legislation?

Now, I wasn't asked, and I'm not suggesting the member should have asked, but if I had been asked, I would not have introduced a resolution today. I would have introduced a bill, a piece of legislation that would have included that—the same as in Washington state. There, the government doesn't develop a strategy, the government actually makes it happen. That would have been a great benefit to us all.

1550

Recently, I was talking to an agriculture leader in our province and he was telling me he had just been to a school breakfast program that morning. He visited us in Oxford shortly after that and he said he was quite disturbed. He went to the school breakfast program, and the produce they were serving at the breakfast program was in fact not Ontario produce. This is food that is bought with Ontario taxpayers' dollars, being purchased by an Ontario institution and being fed to Ontario children, yet it is not produced in Ontario.

**Mr. Peter Kormos:** So where was it coming from?

**Mr. Ernie Hardeman:** I don't know. I wasn't able to follow the whole trip, because it didn't come straight from where it was grown to where it was served, but I'm sure it went well beyond the 100 miles.

Again, the member's resolution speaks about developing a strategy. I support the goal of eating locally grown food, but I have real concern that if this government keeps ignoring the needs of our farmers, there won't be any food grown in Ontario.

**Mr. Khalil Ramal:** I'm delighted to stand up this afternoon and speak in support of the resolution by my colleague the member from Kitchener-Conestoga. The resolution is the "Eat Local: Live Fresh" food miles strategy, which promotes fresh fruits, vegetables and food being served in our schools. I think it's a very important initiative, because this initiative fits with our government direction.

I remember when we were elected in 2003, our government, the Minister of Education, introduced a law to ban junk foods from elementary schools. I think that was a very good, important step. Not long ago, we also introduced another bill banning trans fats from school cafeterias across Ontario. Now the member from Kitchener-Conestoga is bringing in a different initiative to create awareness and promote local products being planted in local areas.

It's important for us to support local farmers, local producers and our local economy. We, the province of Ontario, are a big producer of many different products: carrots, lettuce, celery, grapes. Many different fruits and vegetables are being grown locally. We also have a lot of meat production in the province. So it's important for us as a government, especially at the school level, that when we introduce a different program across the province, Ontario tax dollars are spent locally and used to support the local economy. This is part of the strategy to promote local initiatives, to support the local economy and create



an awareness among the kids about what we grow in Ontario.

This initiative will also help to reduce obesity among kids across Ontario, and also reduce health risks. What happens when people eat a lot of junk food products—chocolate bars, chips—that aren't healthy or fresh? They increase their risk of diabetes, heart disease and many other diseases.

This resolution is important. Hopefully the next step will be to adopt it in a government bill, to become law in the province of Ontario. This will help us, as a government, to maintain the health of the people of Ontario.

I remember last year, the Minister of Health Promotion, in conjunction with the Minister of Education, came up with an initiative to support and create awareness in many different schools. I know that two schools in my riding, Clarke Road high school and Montcalm high school, participated in this program, introducing healthy, fresh fruits and vegetables for breakfast on many different days to the students at those schools. It was a very good initiative, and I hope all the schools across Ontario will promote that.

Again, I'm glad to support this resolution. I congratulate the member.

**The Acting Speaker (Mr. Jim Wilson):** Further debate? The Liberals have 26 seconds. Seeing none, Ms. Pendergast, you have up to two minutes to respond.

**Ms. Leeanna Pendergast:** I'd like to begin by thanking all of my colleagues for an engaging and supportive discussion. Thank you to the members from Guelph, Oak Ridges–Markham and London–Fanshawe, as well as my colleagues the members from Oxford, Haliburton–Kawartha Lakes–Brock, Kitchener–Waterloo, Nickel Belt and Hamilton Centre. Thank you to everyone today for engaging in this discussion.

I did want to leave you with a quote, as I always do as an English teacher, just to remind you that, "We cannot always build the future for our children, but we can build our children for the future." That's what this is about today: the discussion that we have the tools to build our children for the future, to give them healthy choices and to encourage them and teach them how to choose local.

For me, "local" in Kitchener–Waterloo region is the world-famous Schneiders meats, Tavistock cheeses and dairy, Herrle's corn, as we heard about earlier, and the Wellesley apple butter festival. I can't forget the Kitchener–Waterloo Oktoberfest and all of the wonderful sausages for Oktoberfest.

It's more than just healthy food and good choices in schools and teaching wellness; it's about the big picture as well: reducing the carbon footprint, reducing greenhouse gas emissions, learning to invest locally, investing in our community and everything that our communities stand for, and strengthening our local farmers and our local farmers' markets. We have the St. Jacobs Farmers' Market. Of course, absolutely it all comes together in learning to eat healthy.

I did want to just reiterate that if food has travelled 100 miles to come to Waterloo region, it has travelled 90 miles too far.

**The Acting Speaker (Mr. Jim Wilson):** The time provided for private members' public business has expired.

## CONSUMER REPORTING AMENDMENT ACT, 2008

### LOI DE 2008 MODIFIANT LA LOI SUR LES RENSEIGNEMENTS CONCERNANT LE CONSOMMATEUR

**The Acting Speaker (Mr. Jim Wilson):** We will deal first with ballot item number 28, standing in the name of Mr. Ruprecht.

Mr. Ruprecht has moved second reading of Bill 75, An Act to amend the Consumer Reporting Act. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**Mr. Tony Ruprecht:** I'd like to have Bill 75 referred to the Standing Committee on General Government, please.

**The Acting Speaker (Mr. Jim Wilson):** Shall the bill be referred to the Standing Committee on General Government? Agreed. So referred.

## DIAGNOSTIC SERVICES

**The Acting Speaker (Mr. Jim Wilson):** We will now deal with notice of motion number 25.

Mrs. Witmer has moved private member's resolution number 25. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

We will call in the members after we deal with the next ballot item, and have a vote.

## HEALTHY SCHOOLS

**The Acting Speaker (Mr. Jim Wilson):** The next ballot item: Ms. Pendergast has moved private member's resolution number 37. Is it the pleasure of the House that the motion carry? Carried.

*Agreed to.*

## DIAGNOSTIC SERVICES

**The Acting Speaker (Mr. Jim Wilson):** We will now call in the members. It will be a five-minute bell.

*The division bells rang from 1558 to 1603.*

**The Acting Speaker (Mr. Jim Wilson):** Mrs. Witmer has moved private member's notice of motion number 25. All those in favour of the motion will please rise and remain standing.



**Ayes**

Arnott, Ted  
Hardeman, Ernie  
Kormos, Peter

Miller, Paul  
Scott, Laurie  
Shurman, Peter

Sterling, Norman W.  
Witmer, Elizabeth

**The Acting Speaker (Mr. Jim Wilson):** All those opposed to the motion will please rise and remain standing.

**Nays**

Aggelonitis, Sophia  
Albanese, Laura  
Arthurs, Wayne  
Balkissoon, Bas  
Best, Margaret  
Brotten, Laurel C.  
Brown, Michael A.  
Cansfield, Donna H.  
Caplan, David

Colle, Mike  
Delaney, Bob  
Dickson, Joe  
Flynn, Kevin Daniel  
Fonseca, Peter  
Gélinas, France  
Jaczek, Helena  
Jeffrey, Linda  
Lalonde, Jean-Marc

Leal, Jeff  
McNeely, Phil  
Phillips, Gerry  
Ramal, Khalil  
Ruprecht, Tony  
Sandals, Liz  
Takhar, Harinder S.  
Van Bommel, Maria  
Zimmer, David

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 8; the nays are 27.

**The Acting Speaker (Mr. Jim Wilson):** I declare the motion lost.

*Negatived.*

**The Acting Speaker (Mr. Jim Wilson):** All matters relating to private members' public business having been completed, I do now call orders of the day.

**Hon. David Caplan:** I move adjournment of the House.

**The Acting Speaker (Mr. Jim Wilson):** Is it the pleasure of the House that the motion carry? Carried.

This House stands adjourned until Monday, June 6, at 9 a.m.

*The House adjourned at 1606.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Aggelonitis, Sophia (L)	Hamilton Mountain	
Albanese, Laura (L)	York South–Weston / York-Sud–Weston	
<b>Arnott, Ted (PC)</b>	Wellington–Halton Hills	First Deputy Chair of the committee of the whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Arthurs, Wayne (L)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (L)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (L)</b>	Sudbury	Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
<b>Bentley, Hon. / L'hon. Christopher (L)</b>	London West / London-Ouest	Attorney General / procureur general
Berardinetti, Lorenzo (L)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (L)</b>	Scarborough–Guildwood	Minister of Health Promotion / ministre de la Promotion de la santé
Bisson, Gilles (ND)	Timmins–James Bay / Timmins–Baie James	
<b>Bradley, Hon. / L'hon. James J. (L)</b>	St. Catharines	Minister of Transportation / ministre des Transports
Broten, Laurel C. (L)	Etobicoke–Lakeshore	
Brown, Michael A. (L)	Algoma–Manitoulin	
Brownell, Jim (L)	Stormont–Dundas–South Glengarry	
<b>Bryant, Hon. / L'hon. Michael (L)</b>	St. Paul's	Minister of Aboriginal Affairs, government House leader / ministre des Affaires autochtones, leader parlementaire du gouvernement
<b>Cansfield, Hon. / L'hon. Donna H. (L)</b>	Etobicoke Centre / Etobicoke-Centre	Minister of Natural Resources / ministre des Richesses naturelles
<b>Caplan, Hon. / L'hon. David (L)</b>	Don Valley East / Don Valley-Est	Minister of Public Infrastructure Renewal / ministre du Renouvellement de l'infrastructure publique
<b>Carroll, Hon. / L'hon. M. Aileen (L)</b>	Barrie	Minister of Culture, minister responsible for seniors / ministre de la Culture, ministre déléguée aux Affaires des personnes âgées
<b>Chan, Hon. / L'hon. Michael (L)</b>	Markham–Unionville	Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration
Chudleigh, Ted (PC)	Halton	
Colle, Mike (L)	Eglinton–Lawrence	
Craitor, Kim (L)	Niagara Falls	
<b>Crozier, Bruce (L)</b>	Essex	Deputy Speaker, Chair of the committee of the whole House / Vice- Président, Président du Comité plénier de l'Assemblée législative
Delaney, Bob (L)	Mississauga–Streetsville	
Dhillon, Vic (L)	Brampton West / Brampton-Ouest	
Dickson, Joe (L)	Ajax–Pickering	
DiNovo, Cheri (ND)	Parkdale–High Park	
<b>Dombrowsky, Hon. / L'hon. Leona (L)</b>	Prince Edward–Hastings	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
<b>Duguid, Hon. / L'hon. Brad (L)</b>	Scarborough Centre / Scarborough-Centre	Minister of Labour / ministre du Travail
<b>Duncan, Hon. / L'hon. Dwight (L)</b>	Windsor–Tecumseh	Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	



Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Flynn, Kevin Daniel (L)	Oakville	
<b>Fonseca, Hon. / L'hon. Peter (L)</b>	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Tourism / ministre du Tourisme
Gélinas, France (ND)	Nickel Belt	
<b>Gerretsen, Hon. / L'hon. John (L)</b>	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / ministre de l'Environnement
<b>Gravelle, Hon. / L'hon. Michael (L)</b>	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Hampton, Howard (ND)	Kenora–Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie (PC)	Oxford	
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
<b>Horwath, Andrea (ND)</b>	Hamilton Centre / Hamilton-Centre	Third Deputy Chair of the committee of the whole House / Troisième Vice-Présidente du Comité plénier de l'Assemblée législative
Hoy, Pat (L)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara-Ouest–Glanbrook	
Jaczek, Helena (L)	Oak Ridges–Markham	
Jeffrey, Linda (L)	Brampton–Springdale	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (ND)	Welland	New Democratic Party House leader / leader parlementaire du Nouveau Parti démocratique
Kular, Kuldip (L)	Bramalea–Gore–Malton	
Kwinter, Monte (L)	York Centre / York-Centre	
Lalonde, Jean-Marc (L)	Glengarry–Prescott–Russell	
Leal, Jeff (L)	Peterborough	
Levac, Dave (L)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (L)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (ND)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
<b>Matthews, Hon. / L'hon. Deborah (L)</b>	London North Centre / London-Centre-Nord	Minister of Children and Youth Services, minister responsible for women's issues / ministre des Services à l'enfance et à la jeunesse, ministre déléguée à la Condition féminine
Mauro, Bill (L)	Thunder Bay–Atikokan	
<b>McGuinty, Hon. / L'hon. Dalton (L)</b>	Ottawa South / Ottawa-Sud	Premier and President of the Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil, ministre des Affaires intergouvernementales
<b>McMeekin, Hon. / L'hon. Ted (L)</b>	Ancaster–Dundas– Flamborough–Westdale	Minister of Government and Consumer Services / ministre des Services gouvernementaux et des Services aux consommateurs
McNeely, Phil (L)	Ottawa–Orléans	
<b>Meilleur, Hon. / L'hon. Madeleine (L)</b>	Ottawa–Vanier	Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (ND)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
<b>Milloy, Hon. / L'hon. John (L)</b>	Kitchener Centre / Kitchener-Centre	Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Mitchell, Carol (L)	Huron–Bruce	
Moridi, Reza (L)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (L)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	
Oraziotti, David (L)	Sault Ste. Marie	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (L)	Kitchener—Conestoga	
<b>Peters, Hon. / L'hon. Steve (L)</b>	Elgin—Middlesex—London	Speaker / Président
<b>Phillips, Hon. / L'hon. Gerry (L)</b>	Scarborough—Agincourt	Minister of Energy / ministre de l'Énergie
Prue, Michael (ND)	Beaches—East York	
<b>Pupatello, Hon. / L'hon. Sandra (L)</b>	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Qaadri, Shafiq (L)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (L)	London—Fanshawe	
Ramsay, David (L)	Timiskaming—Cochrane	
Rinaldi, Lou (L)	Northumberland—Quinte West	
Runciman, Robert W. (PC)	Leeds—Grenville	Leader of the Official Opposition / Chef de l'opposition officielle
Ruprecht, Tony (L)	Davenport	
Sandals, Liz (L)	Guelph	
Savoline, Joyce (PC)	Burlington	
Scott, Laurie (PC)	Haliburton—Kawartha Lakes—Brock	
Sergio, Mario (L)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
<b>Smith, Hon. / L'hon. Monique M. (L)</b>	Nipissing	Minister of Revenue / ministre du Revenu
<b>Smitherman, Hon. / L'hon. George (L)</b>	Toronto Centre / Toronto-Centre	Deputy Premier, Minister of Health and Long-Term Care / vice-premier ministre, ministre de la Santé et des Soins de longue durée
Sorbara, Greg (L)	Vaughan	
Sousa, Charles (L)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton—Mississippi Mills	
Tabuns, Peter (ND)	Toronto—Danforth	
<b>Takhar, Hon. / L'hon. Harinder S. (L)</b>	Mississauga—Erindale	Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Van Bommel, Maria (L)	Lambton—Kent—Middlesex	
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<b>Wilkinson, Hon. / L'hon. John (L)</b>	Perth—Wellington	Minister of Research and Innovation / ministre de la Recherche et de l'Innovation
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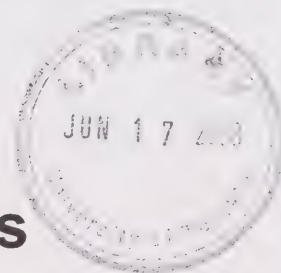
First Session, 39<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)



Monday 9 June 2008

Lundi 9 juin 2008

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 9 June 2008

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 9 juin 2008

*The House met at 0900.  
Prayers.*

## ORDERS OF THE DAY

### ORDER OF BUSINESS

**Hon. Michael Gravelle:** Mr. Speaker, I believe we have unanimous consent to put forward a motion regarding division of time for debate on the motion for third reading of Bill 55: that the time available to 10:45 this morning be divided equally among the recognized parties for debate on the motion for third reading of Bill 55, An Act to enact the Ontario French-language Educational Communications Authority Act, 2008 and make complementary amendments to the Ontario Educational Communications Authority Act, following which the Speaker shall put every question necessary to dispose of the motion for third reading of Bill 55 without further debate or amendment.

**The Speaker (Hon. Steve Peters):** Members have heard the motion by the Minister of Northern Development and Mines for the splitting of the debate. Agreed? Agreed.

*Agreed to.*

### ONTARIO FRENCH-LANGUAGE EDUCATIONAL COMMUNICATIONS AUTHORITY ACT, 2008

### LOI DE 2008 SUR L'OFFICE DES TÉLÉCOMMUNICATIONS ÉDUCATIVES DE LANGUE FRANÇAISE DE L'ONTARIO

Ms. Wynne moved third reading of the following bill:

Bill 55, An Act to enact the Ontario French-language Educational Communications Authority Act, 2008 and make complementary amendments to the Ontario Educational Communications Authority Act / Projet de loi 55, Loi édictant la Loi de 2008 sur l'Office des télécommunications éducatives de langue française de l'Ontario et apportant des modifications complémentaires à la Loi sur l'Office de la télécommunication éducative de l'Ontario.

**The Speaker (Hon. Steve Peters):** Debate?

**Hon. Kathleen O. Wynne:** I'm very pleased to rise to speak to Bill 55 today. French-language education and culture have a huge impact on our province. The very

fact of Franco-Ontario culture is part of our definition as Ontarians, because the French-language community plays such an important role in Ontario's cultural and economic development. That's why I'm pleased that we are moving forward with this legislation, with third reading. If passed, this legislation would support Ontario's French-language students, teachers and parents. This is an educational issue, but it's also a broader cultural issue for Franco-Ontarians and, as I say, for all Ontarians. This proposed legislation, Bill 55, is the last step required to formally give TFO its independence. In fact, TFO has been operating as an independent entity for some time. TFO has its own board of directors, it administers its own budget and it operates separately from TVO at this point.

Given TFO's successful transition to becoming an independent broadcaster, it makes complete sense to finish this process and formalize TFO's status by passing the proposed legislation.

Les élèves francophones ont besoin d'immersion dans leur culture en dehors de la salle de classe ainsi qu'en dedans. Les émissions de TFO permettent aux Franco-Ontariens et Franco-Ontariennes d'apprendre et de se divertir dans leur propre langue lorsqu'ils sont chez eux. Cela aide aussi à renforcer leur identité et leur culture, car la programmation de TFO est conçue ici-même en Ontario. TFO est une histoire de réussite bien ontarienne et TFO demeure la pierre angulaire de la politique d'aménagement linguistique du ministère de l'Éducation. That cornerstone of our aménagement linguistique in our French-education school boards is extremely important to the dissemination of Franco-Ontarian culture. C'est un soutien clé à l'éducation en langue française en Ontario aujourd'hui.

Teachers use TFO's resources extensively in our French-language schools, and TFO also has the support of Ontario's francophone community and French-language education stakeholders. Some 83% of Ontario francophones say that it's essential for all francophones in Ontario to have access to TFO. So if 83% of Ontario francophones are saying that, that goes well beyond our education system. The feedback that TFO receives directly from the public is overwhelmingly positive. In fact, in 2007-08, TFO received 2,500 phone calls and 1,200 e-mails from viewers, and TFO estimates that 90% of the feedback it gets from the community is positive. I think we would agree that that's a good rating for any institution.

Ce qui est intéressant, c'est que les sites Web et la programmation éducative de TFO sont populaires non seulement auprès du personnel enseignant, des élèves et



de leurs parents ici en Ontario; ils ont aussi comme leur public des élèves francophones du monde entier, ainsi que leurs parents et enseignants. Il est évident que TFO fait un excellent travail.

TFO plays a big role in spreading culture in Franco-Ontario and beyond Ontario, throughout the world. It provides positive reinforcement of Franco-Ontario identity and values in all of their diversity. As I said, to my mind, that is an affirmation of Ontario culture as much as it is an affirmation of Franco-Ontario culture. That's why I ask everyone in the Legislature to support this legislation. It will make TFO's self-governing status permanent and it will allow TFO to continue on this very successful path that it has begun. It's important we do this now, because we need TFO to continue to provide resources that meet the unique educational and cultural needs of Ontario's francophone population.

I want to thank you, Madam Speaker, and I thank in advance the members of the Legislature who will support this legislation. I'd like to share my time with the member for Guelph-Wellington, my parliamentary assistant, Liz Sandals.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Mrs. Sandals:** I too am very pleased to rise in support of Bill 55. As has been mentioned, this proposed legislation is the last step needed to formally make TFO's independence permanent. In fact, TFO has had its own board and has operated independently from TVO for more than a year now, and TFO recently moved into new independent offices in downtown Toronto.

TFO is a voice that unites francophone communities across Ontario, a voice that allows them to express their Franco-Ontario identity within Canada and a voice that tells the rest of the world who we are. It has become a gateway to reach Franco-Ontario youth through its programming and its website. This is particularly important in ridings like mine, where there's a very small francophone community and the cable TV outlet doesn't carry any other French-language service on its standard service: no CBC French, no CTV French. In areas like mine, TFO is really the only access to francophone TV. So it's very important to the francophone community in areas like mine.

0910

As my colleague the Minister of Education pointed out, TFO has received much praise from the French-language education sector and from Franco-Ontarians. Just two weeks ago, three of TFO's programs were recognized by the Alliance for Children and Television during its 2008 French-language awards of excellence. This shows that TFO produces French-language educational and cultural programming that is second to none in Canada.

The ministry has also heard from education stakeholders in the Franco-Ontarian community in support of TFO and Bill 55. I would like to share with you some of the comments and submissions we have received from the sector. Mr. Paul Taillefer, president of the Associa-

tion des enseignantes et des enseignants franco-ontariens, has this to say about the benefit of passing the proposed legislation: "We are confident that passing the proposed legislation would allow TFO to better meet the needs of schools and the Franco-Ontarian community and to fulfill its role as a francophone producer and broadcaster in Ontario, in Canada and abroad."

The Centre francophone de Toronto also expressed its support for passing Bill 55 and for an independent TFO. The centre's executive director, Mr. Gilles Pelletier, added that "governance of services by francophones is the ultimate guarantee that French-language services will be offered on an ongoing basis."

Ron Marion, president of the Association des conseils scolaires des écoles publiques de l'Ontario, said "ACEPO greets Bill 55 with open arms as it would create an autonomous and entrepreneurial TFO—a TFO that supports the sustainable development of communities."

We also heard from the Conseil ontarien des directrices et directeurs de l'éducation en langue française. CODELF said, "For years, Ontario's French-language school boards have been dreaming of having access to an educational broadcaster that is run by francophones for francophones."

The Association franco-ontarienne des conseils scolaires catholiques also supports Bill 55 and TFO. AFOCSC's president Robert Tremblay said, "Our TFO is a powerful learning tool for our students. Not only because TFO produces high-quality pedagogical resources ... but also because it provides students with a living window on Ontario's francophonie."

If passed, this legislation would make TFO independent and therefore better able to support our students. That is why I urge my fellow members to support this legislation.

I would just like to add that at committee when we did the public hearings on this bill, all the presenters were in support, there were no amendments to the bill and all parties supported the bill. This seems to be a bill that has been very favourably received. I'm looking forward, I hope, to its passage on third reading debate.

**Mr. Peter Shurman:** I rise today to comment on Bill 55, the Ontario French-language Educational Communications Authority Act, 2008. Why? Because it is back here after committee review. It is absolutely unchanged. It is still one of those bills we simply need to pass, so we will pass it today. But I beg the indulgence of members here, if I add a few new comments on this government's priorities, given that we're spending this time discussing a bill that is, first, already basically implemented, and second, not the kind of thing we couldn't have dispensed with more readily while we put valuable time to use on an economy that isn't going to hold up or a health system that can't seem to get a handle on serious bacteria infection or servicing taxpayers who are funding all of this.

As the opposition critic for francophone affairs, I commend any efforts that are made to promote the French language and culture. That's why I'm on my feet here today. Last week when I asked the Minister of Education



about Ottawa money—federal dollars—also earmarked for educating our kids in the French language, I was disappointed, to say the least, to hear that this excuse for a government is effectively diverting federal heritage language allocation funds only to the public system after years of ensuring that kids in all schools received the federal grant, to see to it that they also had what is their right: a knowledge of the French language. But not anymore. The minister says you can't police private schools. How will we ever police silly moms and dads who choose to smoke in their cars while junior is in his car seat if they can't police who gets other people's money to learn French in schools?

Vindictive, nasty and unfair; three of a long list of words I could use to describe the McGuinty Liberals. I could say, "I digress," but I won't because it is not digression to describe this web of nonsensical activity that feeds into itself, in one way or the other, to provide things for Ontarians that are questionable as to priority, while leaving the important stuff alone, as people go through life thinking, "Maybe it'll all be okay." Would that that were so.

TFO and Bill 55: In my role as critic, I have spent a great deal of time studying and learning about the Francophone culture of our province. I have become more familiar with the 1.4 million Ontarians who have a working knowledge of the French language, almost 11% of Ontario's total population. There are 488,000 whose mother tongue is actually French living in Ontario. Unbelievably, almost, there are some 50,000 Ontarians who are francophones and who do not speak any English whatsoever. I have learned about French pockets—communities like Sudbury and the Niagara region—where significant portions of the population are francophone. I have learned about these members of the francophone community, whose only ties to their culture are through the Internet and the programming provided by TFO. Hence, the incredible interest from the teaching community in this particular bill; more on that later.

I have looked at our education system and have become aware of the work that is being done to encourage bilingualism. Comme citoyen bilingue, il me semble que c'est normal dans un pays comme le Canada, et c'est pourquoi j'ai exprimé ma difficulté avec certaines décisions récentes du gouvernement McGuinty.

The province of Ontario has some 90,000 students, from 350 schools, who are learning the French language. According to the Ministry of Education, nearly half of Ontario's teachers regularly use TFO's programming in the classroom. That is quite appropriate.

TFO has created award-winning educational programs that help parents and teachers alike. TFO provides 225 different teachers' guides and 15,000 educational resources divided by grade and subject matter. In addition, TFO produces 4,000 educational programs for French-language schools, 1,600 of which are provided free of charge. All of these resources are available through their website. TFO staff also consult with parents and teachers, showing them how to use TFO's resources effectively.

The people of Ontario should be incredibly impressed with how much work TFO has put into its educational programming, and we have the tax money to do that, apparently—Ontario tax money. But, when Ottawa hands some over for the same purpose, basically—education—that's for public education only, no longer for private. Why? Because the government can get away with it. Let's hope Ottawa doesn't agree.

It is good use of tax money to educate kids in the second official language. It creates value for Ontarians. The continuing resource base provided by TFO gives true meaning to the term "public service." Our party continues to support Bill 55.

Although we will be supporting this bill, it doesn't mean we don't have several reservations about how the McGuinty government has handled this file. In separating TFO, we have effectively created a new government department, complete with all the costs that go with that. Duplication of services could lead to reduced resources for other areas. It will undoubtedly do so. The government failed to bring in this legislation prior to actually separating TFO from TVO—fait accompli. The government announced this intention in 2006 and split them in May 2007. Why is now the time for legislation, so long after the deed was done? Likely because, as with much of this season's legislation, it keeps Ontarians' focus off the big picture. Not to worry, the gas pumps and the cost of a head of lettuce, a pound of cherries or a taxi ride will refocus people this summer.

Debate on Bill 55 was nearly nonexistent and, when it did take place, it was a waste of time. Not because the idea doesn't make sense, but because it does. Clause-by-clause review at committee lasted three minutes. Deputations were all by French educator-teacher groups. Coverage of this Legislature on both TVO and TFO is almost nonexistent. That has been mentioned repeatedly here. No one seems to care that these television services cost Ontario taxpayers money, lots of money. The services are run for and by Ontarians and they are not out, like commercial broadcasting, to gain ratings or advertising revenues. So cover the darn Legislature and let taxpayers know what we're doing here. It ought to be fun. It would scare the daylights out of them, I suggest.

0920

Since taxpayers fund government-owned and -operated networks, one could reasonably expect that the business of interpreting government to taxpaying citizens would be prime in the program makeup of these services. This legislation legitimizes an entirely new department in the province of Ontario. The legislation calls for the creation of a new board of directors, plus regional councils and advisory committees. Will these appointments be more partisan appointments from a government famous for rewarding its friends with taxpayers' money?

*Laughter.*

**Mr. Peter Shurman:** You liked that.

I underscore that just to get it on the record, and I call for doing the right thing: Put people in positions for their knowledge contribution and expertise—no more, no less.



These are reasonable concerns, given the track record of a tax-and-spend regime now entrenched in all aspects of Ontario's administration. The McGuinty government sat around for a year, knowing this was coming, and what did they do? Nothing. Then the separation came along. Did they act? No. TFO has been a de facto separate entity since May 2007, more than a year. That's two years of no plan, two years of no action. Now there is action, at a cost, and before it has been discussed, debated or passed by the Legislature, which does have jurisdiction over it, after all.

Do I sound a little ticked off today? Why wouldn't I be? What are we discussing here? And once passed this week, today in fact, what positive change will our citizens receive besides a new piece of legislation finally recorded on our law books for posterity? All the while, TFO's legal status has been in limbo because this government hadn't separated them from TVO in legal terms. The bill doesn't do anything new. It basically is a fix.

According to Claudette Paquin, the current CEO of TFO: "TFO is a well-recognized resource for French-language students, teachers and parents, and is greatly appreciated by francophiles across Ontario. This legislation is the last step to officially make TFO into an independent, self-governed educational broadcaster. We hope with all our hearts that the legislation will be passed."

We on this side of the House agree with Ms. Paquin's assessment of TFO. With the support of our party, it will be passed; in fact, it will pass unanimously, I suspect. But it cannot go unsaid that this is the work of an arrogant government that more and more often puts the cart before the horse and thinks that's just fine. After waiting two years for this legislation to be introduced, of course Madame Paquin hopes this bill is passed.

#### *Interjections.*

**Mr. Peter Shurman:** The derision I hear on the other side simply confirms what I'm saying. TFO is an organization whose efforts I support and applaud for what it does. It is also an organization that has been purchasing property, acquiring assets and entering into contracts.

How is it that we have departments splitting off from one another without legislative control before the fact? It kind of explains things, doesn't it? First nations issues: "Don't worry. We're fixing it." C. difficile infections: "Don't worry. We're fixing it." Massive economic shifts, unhealthy to our once-proud province: "Don't worry. We're fixing it." Thank you, Dalton McGuinty. But on the TFO file, can the minister explain who would be responsible in the case of, for example, a legal dispute?

This sort of mismanagement begs the question: Who is actually running things? Is the minister running her department or is the department running the minister? We have learned that with this government in control of taxpayers' money, the inmates are in control of the asylum. I know, I know, I used that line in another debate, but I liked it so much I wanted to use it again.

Clearly, this is a government that has no plan. Both TVO and TFO receive the bulk of their funding from the

people of Ontario. For the most part, the networks provide either educational or highly relevant programming, so why is there this exception—the incredibly poor coverage that the proceedings in this very House receive from both of our public broadcasters? They have a responsibility to provide better coverage to educate the people of Ontario as to what goes on in this chamber.

The regular legislative channel does not produce the proceedings of this House in French. I am actually speaking primarily in English today so that viewers all understand the impact, in my words, not those of a translator. That is appalling, considering how often we hear the McGuinty government claim to support the rights of the francophone community.

For many in the francophone community, TFO represents the best access that they will have to provincially relevant news, and it's wonderful that extra funding for the teaching of French to public and Catholic school-children will continue on Ottawa's dime. Perhaps the private schools can use TFO too, at their own expense, to teach a heritage language, because they'll have to if they want to and if they want to do what the ministry is talking about in terms of French language while it purloins the Ottawa dollars earmarked for this purpose.

On TFO, there is no coverage of the proceedings of this House outside of their daily news program. TVO in English does a little better, but not much better. Question period is on daily from—are you ready?—3:00 a.m. to 4:00 a.m. on TVO. I know how many people will stay up for that.

**Mr. Michael A. Brown:** You can TiVo it.

**Mr. Peter Shurman:** Yes, we'll TiVo it.

TVO and TFO should be used to promote and maintain the cultural diversity of our communities.

In closing, francophone people have a long, rich heritage here in Ontario. They have raised generation after generation of children here. They have worked hard; they have helped to build our province. The Progressive Conservative Party of Ontario has fought and will continue to fight to ensure that their culture is promoted and celebrated here in Ontario. This bill, although late, will help to ensure that the francophone people of this province have continued access to media content in their own language. I believe it is indeed something that we can all support, but I again would remind the government that the power of what we have created goes well beyond what is envisioned. Let us use it wisely.

**M. Gilles Bisson:** C'est avec une certaine fierté et une joie que je suis ici ce matin pour finalement, en troisième lecture, finir le débat sur ce projet de loi pour créer une autonomie pour la chaîne de TFO, quelque chose qui a commencé il y a déjà une couple d'années et qui va finir avec notre propre législation qui donne les droits et les pouvoirs nécessaires pour permettre à TFO d'opérer avec une autonomie à elle-même, et n'être pas seulement une organisation qui est fusionnée avec un organisation bilingue.

Je veux prendre un peu de temps pour parler de la différence entre travailler dans une agence bilingue et



c'est quoi d'avoir une agence qui est autonome elle-même dans sa langue, soit en français, soit en anglais.

J'ai écouté le membre conservateur parler. C'est un peu le même débat qu'on a entendu en deuxième lecture, puis des commentaires qui étaient donnés au comité. On parle d'une perte d'argent. On dit qu'on pourrait mieux dépenser nos sous si on avait une organisation bilingue, et créer une TFO autonome à côté de TVO—ce n'est pas nécessairement méchant, la manière dans laquelle le membre conservateur le dit—

*Interjection.*

**M. Gilles Bisson:** Merci, madame la ministre. C'est bien beau d'avoir cette discussion-ci avec vous aujourd'hui. C'est votre législation. J'aimerais avoir une chance d'en parler et puis de comprendre.

Je veux parler de la question de ce qui arrive avec des organisations bilingues par rapport aux organisations autonomes. Ce qui arrive dans beaucoup d'instances, quand c'est une organisation bilingue, c'est que le groupe francophone se trouve dans une situation minoritaire dans une organisation qui est par majorité anglophone. Ce qui arrive, c'est que chaque fois que tu essaies d'avancer un projet ou faire des décisions quelconques, c'est toujours la bataille de convaincre tes collègues. Ce n'est pas que tes collègues sont méchants, mais ils ne comprennent pas ta situation. Ils n'ont pas vécu ta vie; ils ne marchent pas le même chemin. Donc, c'est toujours à convaincre. C'est difficile d'avancer les dossiers pour être capable de mieux desservir ta communauté.

Un bon exemple, c'est les conseils scolaires. Quand on avait des conseils scolaires, soit séparés ou publics, c'étaient des conseils bilingues. Par exemple, chez nous dans mon coin on avait les francophones comme majoritaires sur le conseil catholique, avec les anglophones en minorité. Quand je parle à mes collègues anglophones qui ont servi sur ces conseils-là, eux autres disent qu'ils ont eu le même problème que les francophones quand ils se trouvaient en minorité. Si tu veux avancer un projet, tu as besoin d'être capable de convaincre tous les autres sur le CA ou sur la commission à prendre ta position. Ce qui arrive, comme j'ai dit, ce n'est pas parce que ce monde-là sont méchants, c'est juste qu'ils ne comprennent pas, et ce qui arrive est que tout devient une bataille.

0930

Justement, une des présentations que j'ai eues—je ne me rappelle pas trop le nom—c'était quelqu'un qui avait vécu cette expérience, qui avait travaillé comme conseil élu catholique sur un conseil où les francophones étaient minoritaires, et ce qui arrive, c'est qu'à cette heure ils sont majoritaires. Il a dit qu'avec les avances qu'on a faites avec notre propre conseil francophone majoritaire où nous autres on est autonomes, on était capables d'avancer des dossiers dans 10 ans comme on n'en avait jamais pu avancer dans l'organisation bilingue.

C'est une raison pour laquelle les francophones veulent avoir leur propre gestion dans certaines organisations, parce que c'est clé d'être capable d'avancer ses dossiers, c'est clé d'être capable de faire ce qu'il y a à faire sans toujours avoir des batailles soit avec l'admin-

istration ou alors avec ton CA, afin d'être capable d'avancer des dossiers.

L'autre question aussi : si tu travailles à l'intérieur d'une organisation bilingue, parfois ça veut dire que tu travailles en anglais. Pour vous donner un exemple parfait, et je ne dis pas « organisation méchante »—on a à Kapuskasing le centre de counselling. Le centre de counselling familial, c'est l'organisation qui prend soin de ceux avec des problèmes de santé mentale. C'est une organisation francophone. Ils sont bilingues, oui, dans le sens qu'ils donnent des services en anglais, mais par majorité c'est une organisation francophone. Ce qui arrive dans cet instant, c'est que le langage du travail dans l'institution elle-même est le français. Donc le « staff » se parle en français; les correspondances sont faites en français; le langage du travail est le français.

Si tu regardes par exemple une autre organisation, à Timmins, c'est la Canadian Mental Health Association, une organisation bilingue où on peut desservir les francophones en français, mais la majorité étant anglophones, ce qui arrive, c'est que le langage du travail est l'anglais. Ce n'est pas pour dire qu'ils sont méchants; ça veut seulement dire qu'on va toujours aller là où la majorité se trouve, parce que c'est plus facile. Si tu as plus de personnes qui parlent anglais, on va travailler en anglais; si tu as plus de personnes qui parlent français, tu vas travailler en français.

Il y a une autre partie dans toute cette affaire-là : si on a des organisations bilingues où on se trouve minoritaires, soit anglophones ou francophones, on se trouve dans une minorité non seulement pour des décisions mais aussi pour le langage du travail. Pour les francophones, c'est même plus important, parce que pour les anglophones c'est facile de vivre en anglais en Ontario. Partout, l'anglais est le langage majoritaire, et je n'ai pas de problèmes avec ça, mais la musique, la télévision, notre interaction avec les gouvernements municipal, fédéral ou provincial, la plupart est faite en anglais. Ça veut dire que les francophones, pour avoir un milieu de travail et une vie francophone, pour garder leur langage et pour être capables de s'exprimer et d'écrire mieux en français, perdent de plus en plus cette habileté dans les organisations bilingues.

Quand une organisation est francophone, ça crée une place où il y a du monde qui travaille en français, où le langage est important non seulement pour parler mais aussi pour écrire et lire, pour être capable de faire tout ce qui regarde l'administration. Ça crée une certaine classe—je ne dirais pas une classe, ce n'est pas un beau mot, c'est un peu élitiste—ça crée un noyau où on peut avoir des francophones qui travaillent en français en utilisant le langage quotidien.

C'est pour cette raison que les organisations autonomes francophones sont importantes : (1) ça nous donne l'habileté d'être majoritaires dans nos institutions pour faire nos propres décisions afin de mieux être capables d'avancer nos dossiers et desservir notre communauté, et (2) ça crée l'habileté de travailler en français parce que l'organisation ait une pensée francophone où on puisse



non seulement pencher ses dossiers mais où on peut travailler en français.

Pour TFO c'est très important parce que c'est une organisation qui est clé pour être capable de garder le langage ici en Ontario pour les francophones. À Timmins, à Ottawa, à Hearst, à Kapuskasing, c'est moins un problème, parce qu'on se trouve pas mal majoritaires francophones dans nos endroits. Si moi, je parle le français après trois générations en Ontario, c'est parce que je vis dans un endroit où il y a beaucoup de francophones et où on se parle en français. Mais quand tu es un francophone à Windsor, ou tu es un francophone à London ou à Belleville, ça devient beaucoup plus difficile parce que tu te trouves dans une situation minoritaire et l'occasion d'utiliser ton français et de le parler quotidiennement dans ta vie devient de plus en plus difficile. Donc, on a besoin d'outils pour ces francophones pour qu'ils aient l'opportunité d'utiliser leur français et de le perfectionner.

Je pense qu'une des clés de base, c'est l'éducation. On a, à travers la province, accès à l'éducation française, soit catholique ou publique, et on peut faire ça n'importe où dans la province. Les parents, comme on le sait, choisissent d'y envoyer leurs enfants français. Pourquoi ? Parce qu'ils trouvent que c'est important. Un, c'est parce que maman et papa sont francophones et on parle le français à la maison, et on veut que les enfants restent francophones. Donc, non seulement le parlent-ils à la maison, mais ils envoient les enfants à l'école. Ou on a des mariages mixtes où soit le mari, soit la femme est francophone et l'autre est anglais, ou italien, ou n'importe quelle autre nationalité, et c'est important de donner un endroit où le jeune ou la jeune est capable de parler le français autrement qu'à la maison, parce que possiblement, c'est plus difficile.

Quand tu élèves des enfants, et papa est francophone et maman ne parle pas le français, papa n'a pas la même interaction avec les enfants que la mère, donc il y a moins de chance pour les jeunes de garder leur français, et l'école devient clé. Si maman est francophone, même si elle travaille, la maman a toujours plus de connexion avec les jeunes, donc, la langue serait peut-être un peu plus facile à transmettre aux enfants si la mère parle le français. Mais encore, elle a besoin de soutien parce que son mari ou son partenaire ne parle pas la langue; donc, l'école devient clé.

L'autre partie, après l'école, non seulement au primaire ou au secondaire, c'est aussi la question des collèges et des universités : on a établi un système de collèges francophones en Ontario. Le Collège Boréal est, à Ottawa—voyons. Le collège francophone.

*Interjection.*

**M. Gilles Bisson:** Mon Dieu. Non, non. Boréal, et à Ottawa c'est—

**M. Phil McNeely:** Cité collégiale.

**M. Gilles Bisson:** Cité collégiale. Merci beaucoup. Est-ce que tu as des blancs de mémoire des fois? C'est impossible à figurer pourquoi j'ai eu ce blanc de

mémoire-là, parce qu'on a assez travaillé avec ces organisations-là.

Mais ce qui arrive, c'est que les jeunes ont la chance de finir le secondaire et aller au collège pour prendre un programme en français, et encore, ce ne sont pas des organisations bilingues; ce sont des organisations francophones. Donc, ces collèges ont développé des programmes pour des francophones d'une manière qui fait du bon sens pour la communauté. Là, on a une université francophone, qui est l'Université de Hearst à Timmins, à Hearst et à Kap, et là encore la seule université en français est dans mon comté, et c'est encore important. Pourquoi? Parce qu'on a non seulement l'habileté de développer nos propres programmes selon nos besoins, mais on a aussi le noyau du monde de travail à l'université et au collège qui travaille en français.

Donc, c'est quoi, l'autre clé? C'est TFO. Je vais finir sur ce point-là. TFO amène à la maison, pour ces parents qui se trouvent dans un endroit minoritaire, possiblement un des outils les plus importants pour garder la langue, parce que les enfants peuvent regarder la télévision en français. La programmation pour les jeunes, je dois dire, à TFO est excellente, et ça donne la chance à l'enfant de regarder la télévision et de voir quelque chose en français. Il faut savoir qu'il y a 300 canaux en anglais. Si tu as le câble ou un « satellite dish », comme on dit, il y a plein, plein, plein de postes en anglais. Tu peux même voir des postes en italien ou en d'autres langues, mais il y a seulement soit CBC Radio-Canada ou TFO.

Sur la question de TFO, au moins, c'est un aperçu ontarien. Le problème avec Radio-Canada—c'est excellent comme organisation et c'est du bon monde qui travaille bien fort, mais c'est plutôt un aperçu du Québec. Il faut comprendre qu'en Ontario, les francophones ne se voient pas comme Québécois; on se voit comme Franco-Ontariens. Ce n'est pas dire qu'on est en chicane avec nos amis québécois ou québécoises. Ça ne veut dire rien d'autre que notre identité est totalement différente.

Oui, ma famille, les Bisson, est partie de la France, et elle a été au Québec et est restée là pour 200 ans, 250 ans—plus longtemps que ça, de 1640 jusqu'au début du dernier siècle, environ. Mais ils sont venus en Ontario et la famille a changé son aperçu quand elle est venue vivre ici en Ontario parce que c'est ce qui arrive quand on déménage de notre coin du monde.

Donc, TFO nous donne un aperçu francophone pour ceux qui demeurent en Ontario, et surtout pour ceux qui se trouvent dans une situation minoritaire.

**0940**

Je veux aussi poigner sur un point que je pense est un problème avec TFO et TVO, et c'est la question de la période des questions. Je pense qu'il serait simple, puisqu'on a une chaîne de télévision ontarienne qui appartient au gouvernement de l'Ontario, que TVO en anglais et TFO en français diffuseraient la période des questions et d'autres débats qui sont importants, tels que celui aujourd'hui sur TFO, sur leurs chaînes de télévision TVO et TFO. Je trouve vraiment bizarre que le monde ne soit pas capable de regarder leur propre période des



questions de leur Assemblée sur les canaux de TVO ou TFO à une heure raisonnable. Il doit y avoir quelque chose à faire, si cette chaîne nous appartient, que le gouvernement et la ministre responsable pourraient leur demander de la faire figurer dans leur horaire, pour qu'au moins on puisse avoir cette période des questions. Si la personne n'a pas le câble, ça veut dire qu'elle n'a pas accès à la période des questions. TVO et TFO, des fois c'est la seule télévision publique qu'on a autrement que CBC et possiblement les postes locaux.

Je ne comprends pas pourquoi on ne fait pas un meilleur effort pour développer la programmation pour qu'on puisse avoir des programmes comme Panorama en français et The Agenda en anglais, avec d'autres programmes qui nous donneraient notre période des questions et un aperçu de cette Législature.

Je veux finir en disant que le parti néo-démocrate va voter pour ce projet de loi. On n'a aucune réservation sur notre support. Pour nous, c'est de l'argent bien dépensé. Je ne suis pas d'accord avec mes collègues qui disent que c'est une duplication puis qu'on serait mieux servi d'une institution bilingue. Pour moi, c'est important qu'on ait nos propres organisations qui soient autonomes en leurs décisions, avec notre propre CA, et qu'on ait l'habileté de travailler en français dans ces institutions pour qu'on puisse vraiment desservir la communauté d'une manière qui fait du bon sens.

Avec ça, je suis très fier aujourd'hui de supporter cette législation et je regarde pour le passage de ce projet de loi.

**The Acting Speaker (Ms. Andrea Horwath):** Merci.

Further debate? Seeing no further debate, Ms. Wynne has moved third reading of Bill 55. Is it the pleasure of the House that the motion carry? Carried.

*Third reading agreed to.*

**The Acting Speaker (Ms. Andrea Horwath):** Orders of the day?

**Hon. Kathleen O. Wynne:** Madam Speaker, I seek consent for the House to recess until 10:45 a.m.

**The Acting Speaker (Ms. Andrea Horwath):** Is there unanimous consent? Agreed. This House now stands recessed until 10:45 a.m.

*The House recessed from 0943 to 1045.*

## INTRODUCTION OF VISITORS

**The Speaker (Hon. Steve Peters):** Good morning, members. I take this opportunity on behalf of the member for Thunder Bay–Atikokan to welcome some guests from Agnew H. Johnston Public School in Thunder Bay: Pauline Fontaine, Mike Judge and Alison Lavoie.

On behalf of page Taylor Martin, her mother, Linda; her father, David; her brother Jonathan, who's a former page; and her brother Andrew, who's a former page, are in the west members' gallery. We welcome you to Queen's Park today.

On behalf of page Gregory Nettleton, his mother, Judy Nettleton, is sitting in the public gallery today.

I'd also like to welcome, in the Speaker's gallery, Kathie Cunningham, my office manager from my constituency office, who's visiting Queen's Park. Welcome, Kathie.

On behalf of the Legislative Assembly of Ontario, I'd like to extend a very warm welcome to the Canada Egypt Business Council delegation, led by the Honourable Dr. Hany Helal, Egyptian Minister of Higher Education and State for Scientific Research, and accompanied by His Excellency Ambassador Wafaa El Hadidy, Consul General of Egypt, and Mr. Assem Mohamed Fahmy Ragab, Chairman of Investment Authority of Egypt, who are seated in the Speaker's gallery. Welcome to our guests today.

## UNPARLIAMENTARY LANGUAGE

**The Speaker (Hon. Steve Peters):** I'd just like to make a comment regarding last Thursday. Last Thursday, I called the leader of the official opposition to order and asked him to withdraw certain language on the grounds that it imputed motives to another member. Upon review of the phrase in its entirety, I have found it to be within the bounds of what is acceptable in this place. I perhaps reacted too hastily. For that, I apologize to the Leader of the Opposition. My apologies.

## ORAL QUESTIONS

### SKILLS TRAINING

**Mr. Robert W. Runciman:** Right off the top, Speaker, thank you for that. That was very gracious of you. I think it sends a very positive signal about your role in that chair.

My question is to the Premier. Last week, I asked about the \$5 million doled out to Local 793 of the operating engineers' union in a seven-month period, a grant that represented 20% of the total skills training fund; 50 other applicants received the remaining funds. Can the Premier tell the House today why Local 793's application was so special that it received significantly more tax dollars than any other successful applicant?

**Hon. Dalton McGuinty:** To the Minister of Training, Colleges and Universities.

**Hon. John Milloy:** As I indicated last week, I'm very proud of the investments our government has made in terms of skills training. As I pointed out, about 14% of apprentices in Ontario are trained through union training centers and union-employer training centres. Our government recognized that through the creation of the STIP program, which was \$25 million in equipment and other capital that was made available.

These investments were made available to all union and union-employer training centres. Through two public and competitive calls for proposals, contracts were awarded based both on eligibility criteria and weighted



evaluation criteria. The delegation of authority to approve and award transfer payments was made to the public service. It was delegated to them, with the final sign-off of the deputy minister. It was a clear and transparent process. The allegations—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary.

**Mr. Robert W. Runciman:** Apparently, members of Local 793 have a different view behind you handing them \$5 million in tax dollars. In their March newsletter, they congratulate their business manager, Mike Gallagher, for his success in lobbying the government and landing \$5 million in tax dollars. The exact words: “The effort has paid off in spades and the return on investment has been phenomenal—something like 5,000%.” Minister, is the investment they’re referring to the \$153,000 they contributed to Working Families?

1050

**Hon. John Milloy:** As I mentioned last week, the allegations that are coming from the leader of the second party are outrageous. If he has proof of this, I wish he’d table it here in the House. The simple fact of the matter is that this was an open and transparent process.

The funds in question went for the following: in Morrisburg, six tractor loader backhoes, four dozers, three packers and two excavators; in Oakville, two boom trucks, a truck-mounted crane, a conventional crane, a conventional crane simulator and a concrete pump; in Morrisburg, a bulldozer and ripper, three skid steers, three mini excavators, two concrete pump simulators, three excavators and ten mechanical hoe simulators.

I’m proud that we’re able to invest in skilled trades in this province. Just because that party, when they were in power, did nothing for skilled trades or apprenticeships doesn’t give them the right to stand up with unwarranted accusations.

**Mr. Robert W. Runciman:** In the June 15, 2007 edition of the *Toronto Star*, Ian Urquhart reported that Working Families was re-forming in preparation for the upcoming provincial election and “expected to get the go-ahead ... next week.” The very next week, June 18, the aforementioned Mr. Gallagher and Mr. Pat Dhillon, a principal of Working Families, met with the former finance minister and Liberal party campaign chair. There was no agenda and no minutes of that apparently secret meeting. One week following that meeting, Local 793 received the first instalment, a \$3.3-million grant.

Connect the dots. The chain of events reeks of wrongdoing. Minister, will you commit to releasing the details and purpose of that meeting? Did you use taxpayer dollars to cement a sweetheart deal with Working Families?

**Hon. John Milloy:** The claims by the Leader of the Opposition are simply untrue. If he has any evidence, I wish he’d bring it forward, or if not, recall them. I am quite frankly surprised that the member opposite does not recall the important work that operating engineers do, especially since when he was Minister of Economic Development and Trade he made a special trip to their

training facilities in Morrisburg for a photo op and to present them with a \$2.3-million cheque.

Let me quote from the press release at the time: “Upgrading skills of employees in the heavy equipment industry is vital for this sector. Skilled workers strengthen the competitiveness of businesses and industry in Ontario ...” said Bob Runciman, Minister of Economic Development and Trade.”

I am happy to bring forth the details of this program to any member of the House, as well as a very handsome photo of Mr. Runciman presenting the cheque to the operating engineers.

**The Speaker (Hon. Steve Peters):** I remind the member of the use of props.

## AUTOMOTIVE INDUSTRY

**Mr. Jerry J. Ouellette:** Before I begin, I’d just like to say to our visiting delegation: ‘as-salāmu-calaykum.

My question is for the Premier. Less than three weeks ago, the CAW and General Motors workers signed an agreement that was found to be null and void 16 days later. During that agreement, the CAW workers made substantial concessions in the vacation area, the wages area and the benefits packages as well.

Premier, the province of Ontario used to have a considerable advantage, whether it was through WSIB or through OHIP. Workers in other jurisdictions are now seeing that and are eliminating those competitive advantages for the province of Ontario. Premier, what is your plan to give the auto sector and the manufacturing sector that competitive advantage to make sure we’re strong in the future?

**Hon. Dalton McGuinty:** To the Minister of Economic Development and Trade.

**Hon. Sandra Pupatello:** I think it’s important to note that a few months ago we were able to table in this House an economic update—that was last December—followed by a budget that was tabled in this House. On both of those occasions, we embedded in those budget documents initiatives that would lower business costs for Ontario. These are the kinds of initiatives that were hailed by business communities, saying “This is exactly what we need.” They pointed out very specific items they were looking for. One of them was the elimination of the capital tax. That was made retroactive to January 1, 2007. An organization about the size of General Motors had a savings of some \$10 million. These are the kinds of initiatives that business has asked for and that in fact they have had.

**The Speaker (Hon. Steve Peters):** Supplementary, the member from Durham.

**Mr. John O’Toole:** I’d like to refer the question back again to the Premier, as this is such an important matter. As the member from Oshawa has pointed out, to be competitive today, you’ve got to have some plan. Now the minister has suggested you have a plan. Well, that’s of very little use to the 2,600 families that now don’t



have jobs, who are part of the larger picture of over 200,000 jobs lost in the manufacturing sector.

The real issue here, if you can think through this plan, Minister, is the ripple effect in the economy. Think of the municipalities who will now lose the tax from that industry. It's not just General Motors. The whole manufacturing sector is in peril, and you seem to be asleep at the switch. In my view, if you look at the ancillary industries, this is a serious problem, and what I don't hear is any consistent plan is to have a recovery in the manufacturing sector of Ontario.

**Hon. Sandra Pupatello:** I would think that if this member chooses to stand up and ask questions of this nature, he would check with some of the experts in the field, like the Automotive Parts Manufacturers' Association. Ask its director or its member executive how they feel about this provincial government and how we've come to the table, trying in these very challenging times to work with this sector to see that they have opportunities. In fact, in our last budget alone, we targeted to the very supply chain that this member references some \$50 million of assistance that is now finding its way to those companies in the supply chain.

These are the kinds of real ways to help an industry that is challenged. I look forward to yet another question where we can table more examples of how this government has come to the table time and time again for a very important sector of the Ontario economy.

**The Speaker (Hon. Steve Peters):** Final supplementary, the member from Whitby-Oshawa.

**Mrs. Christine Elliott:** Premier, you can't just sit there and wring your hands. This is a situation that requires action now. Premier, will you commit today to bringing together business, labour and community leaders to develop a plan to deal with this devastating blow to our economy?

**Hon. Sandra Pupatello:** I think it's important in these challenging times that we do what the people who are looking for assistance from all levels of government do, and that is, work together to find solutions. That means that this government will continue to call on the federal government to join us with our automotive strategy.

Let me just say this. This in fact was written by the one individual who represents all of the CAW workers. In the words of Buzz Hargrove, "The attacks of Runciman and Hampton on Ontario's auto strategy are anything but informed. They are an attempt to make cheap political points at the expense of tens of thousands of hard-working autoworkers in Ontario who quite rightly fear for their future. Myself and my members are deeply offended"—as are we on this side of the House.

#### AUTOMOTIVE INDUSTRY

**Mr. Howard Hampton:** This is a question to the Premier. General Motors signed a collective agreement with auto workers just last month. General Motors promised its workers would have jobs at the Oshawa truck plant until the end of the contract. Now, 2,600

workers are being put out the door. While General Motors puts workers out the door, they're still collecting the \$235-million handout from the McGuinty government.

The Premier has said here in the Legislature and elsewhere in the province that as a result of the \$235-million handout, a new hybrid-powered truck would be built at the Oshawa truck plant. Clearly, General Motors deceived its workers. My question is, did General Motors also deceive the Premier and the McGuinty government?

**Hon. Dalton McGuinty:** We intend to continue, notwithstanding the reluctance of my colleague opposite, to pursue as aggressively as we can new investment in the auto sector in the province of Ontario. The leader of the NDP has never been onside for our approach, notwithstanding the tremendous successes that we have enjoyed. He has never been onside, notwithstanding the fact that in comparison and in contrast to what has happened to the auto sector in Michigan and other states south of the border, we've enjoyed remarkable successes. He remains adamantly opposed to the government rolling up its sleeves, sitting down with the auto workers, sitting down with the auto sector and doing what we can to land new investment here in the province of Ontario. At some point in time, I hope that he will stand up in favour of new investment in the auto sector in the province of Ontario.

1100

**Mr. Howard Hampton:** I heard a lot of words, but no answer. One presumes that the Premier knew what he was talking about when he went outside this Legislature and boasted that a new hybrid truck would be built in Oshawa, when he told this Legislature on May 7 that General Motors would build a new hybrid-powered truck in Oshawa, when he told this Legislature on May 13 that a new hybrid-powered truck would be built here in Oshawa. But it turns out that the Premier didn't know what he was talking about. The Premier has either been duped by a large multinational corporation or his government is incompetent. I ask the Premier, which is it?

**Hon. Dalton McGuinty:** Again, my friend remains adamantly opposed to finding ways to work in a highly competitive global economy to land new auto sector investment in the province of Ontario. He thinks we should write off that sector. Canadian and American consumers on an annual basis, in a bad year, are still buying 15 million cars; in a good year, they buy 18 million or more. The leader of the NDP says that we should get out of the auto business in the province of Ontario. I disagree, and so do the workers and the families that rely on their living—and a prosperous future as well. We have, through countless agreements—whether with Toyota, Honda, GM, Valiant, Ford, the Ford Essex engine plant, Chrysler, Nemaq, Linamar, AGS and Denso, to list a few—landed significant new investments in the auto sector in Ontario.

**Mr. Howard Hampton:** The Premier obviously wants to avoid answering any questions about General Motors. New Democrats believe in making strategic in-



vestments to sustain jobs, but unlike the McGuinty government, we believe we need to get product guarantees or job guarantees before you give \$235 million to General Motors. The Premier may not like it, but Ontarians have a right to know what the Premier agreed to with General Motors. After all, it's their money, and after all, Ford also received \$100 million and Chrysler \$77 million. We need to know, are we going to see more layoffs at those companies?

So I ask the Premier again—

**The Speaker (Hon. Steve Peters):** Question?

**Mr. Howard Hampton:** —will he own up to the fact that the Premier and the McGuinty government bungled their negotiations with General Motors when he gave them \$235 million and now they're laying off thousands of—

**The Speaker (Hon. Steve Peters):** Thank you. Premier?

**Hon. Dalton McGuinty:** The leader of the NDP knows that there was a penalty provision in place. It looks like circumstances will evolve in such a way that a penalty will in fact ensue and we will enforce the contract, should that in fact occur, some time next year.

But let me talk about some of the other things that we have done through that particular investment. It included a \$58-million investment for our new Automotive Centre of Excellence at the University of Ontario Institute of Technology to ensure that the parts and vehicles of tomorrow are researched, designed and built in Ontario. That was part of the package that demonstrates once again that we are looking out at the distant horizon when it comes to securing new investment in new product in the auto sector in the province of Ontario.

There is a marked difference, a stunning contrast. The leader of the NDP believes we should do nothing. We believe that we have an obligation to roll up our sleeves, work with both sides and land continuing new investment.

#### SKILLS TRAINING

**Mr. Howard Hampton:** To the Premier: Yes, engineering and design may be done in Oshawa, but the jobs are all going to Mexico, and that's as a direct result of your government's bungling the whole agreement with General Motors.

But it turns out that not only have you bungled the operation with General Motors, but now, you've also bungled your much-boasted-about second-career retraining program.

It appears that 10,000 forest sector workers who were laid off in northern Ontario will not be eligible for second-career retraining. Not only did you let down the workers in Oshawa, Premier, but it seems you have no regard for all those workers in northern Ontario who were laid off. How can you do this sort of thing to workers who are facing a very difficult time?

**Hon. Dalton McGuinty:** We are very proud of our new program. It's the first of its kind in Canada. It

creates two-year, long-term training opportunities for workers who have lost their jobs during the course of the past year.

There is a significant new investment associated with this program. The leader of the NDP says that it is not enough. It's reaching out to 20,000 Ontario workers who have lost their jobs. He loses sight, of course, of the fact that through our existing Employment Ontario program—that's a \$1-billion annual investment—we are caring for 900,000 other Ontario workers.

What we're asking the Ontario worker to do is not easy. There are 20,000 opportunities, but if you're 43 with two children and a mortgage, to go back to school for two years is a significant sacrifice. My hope is that that new program, available for 20,000, will be greatly oversubscribed.

**Mr. Howard Hampton:** Once again, the Premier struggles to avoid answering the question. The fact is that your so-called second-career program only works in terms of people who were laid off after June 1, 2007. The reality for northern Ontario is that most people in the forest sector lost their jobs before June 1, 2007. So workers in Thunder Bay, Chapleau, Dubreuilville, Nipigon, Red Rock, Smooth Rock Falls, Kenora, Dryden, Ignace, Espanola and Nairn Centre all lost their jobs before June 1, 2007.

Premier, tell those workers in northern Ontario why the McGuinty government thinks they're second-class workers and aren't worthy of access to this kind of job retraining.

**Hon. Dalton McGuinty:** to the Minister of Training, Colleges and Universities.

**Hon. John Milloy:** To reiterate what the Premier said, right now we have, through Employment Ontario, access to 900,000 workers for supports throughout Ontario. We're spending \$1 billion a year. Second career, which was announced several years ago, enhances that by offering additional training to workers who want to move that step forward.

As the Premier mentioned, there are right now, through Employment Ontario, access to 900,000. Over the next few months, as we have workers come forward under second career, we're going to be monitoring the ones who come forward, we're going to be monitoring the ones who are not eligible for the program and making any adjustments to the program to make sure that it's enhanced and serves the best needs of Ontario employees.

**Mr. Howard Hampton:** Once again, both the Premier and his minister try to avoid the question. There's only one answer to this. Either you have bungled this job-training strategy or you just don't care about those laid-off workers in northern Ontario.

The fact of the matter is, literally whole communities have had their economies wiped out. Whole communities have watched 500 or 1,000 workers laid off and they have very few options, other than retraining.

I simply ask the McGuinty government again: Is this your message to laid-off workers in northern Ontario? They don't count? They don't matter? They're not



worthy of job retraining? Or have you simply bungled this, just as you bungled the \$235-million cheque to General Motors?

**Hon. John Milloy:** The leader of the NDP is being mischievous with his question. He knows darn well that we invest over a billion dollars a year in terms of retraining opportunities for all workers across this province.

As soon as we learn that there may be a possibility of a downsizing or a possibility of a layoff, within one hour our ministry is in contact with the plant in question, with the union, with the workers, with the community. We've set up rapid re-employment training centres in communities. We've set up adjustment in communities. We've made sure that we work with all affected to make sure that there are opportunities for all workers to receive the support that they need—support in finding a job, support in training opportunities and support moving forward. Second career adds to these supports, but it's in addition to the \$1 billion that we're already spending.

To stand up in this Legislature and suggest that we are not helping workers in communities throughout northern Ontario is wrong and it's mischievous. We are investing—

**The Speaker (Hon. Steve Peters):** Thank you, Minister.

### C. DIFFICILE

**Ms. Laurie Scott:** My question is to the Premier. Today's Hamilton Spectator reports that when Northern Ireland was hit with 51 *C. difficile* deaths, the health minister set an immediate action plan in motion where an expert panel did a comprehensive three-month review. In a letter to you dated May 15 of this year, our leader, John Tory, asked you to do just what Northern Ireland did; that is, commence an investigation that would report back in 90 days. Why haven't you proceeded with the investigation? Why is the death of over 260 people from *C. difficile* not enough to spur this government into protecting public confidence in our health care system?

1110

**Hon. Dalton McGuinty:** I'm pleased to take the question. I know that the Minister of Health has spoken to this on several occasions, and he has related to the opposition that we have had three independent reviews thus far. There was a coroner's jury that made specific recommendations, there has been an investigation into the Joseph Brant outbreak, and our government has our own medical expert advisory committee that has made recommendations.

But I think it's also important to take into account the views of Dr. Richard Schabas, a former chief medical officer of health in the province of Ontario, who said that the Conservative government turned its back on public safety. When he was asked about an additional public inquiry, he said the following: "I'm not sure a public inquiry is necessarily the logical next step. They often make for good theatre, but they don't get us where we need to go, which is to address this problem in a vigorous

and effective way, and I think largely we already know what the underlying problems are with *C. difficile*." I'm inclined to agree with the expert.

**Ms. Laurie Scott:** Over 260 people have died from *C. difficile* that we know of. That's a crisis, and that should be dealt with. The article from the Hamilton Spectator goes on to say, "Graham Tanner of Britain's National Concern for Healthcare Infections says the first act in dealing with a superbug like *C. diff* is to accept that a severe problem exists," which you do not do. It also says that "a British patient advocate, who has been following the spread of the bacterium around the world, says the Ontario government 'appears to be in denial' over *C. diff*."

Premier, over the last four years, despite repeated warnings that *C. difficile* does exist, you sat back while scores of people have died unnecessarily from this virulent strain of *C. difficile* since 2004. The Ombudsman has referred to you as being "inexcusably lax" on this life-threatening matter. I ask you again: Why won't you launch an investigation and treat *C. difficile* as the serious health threat that it is?

**Hon. Dalton McGuinty:** Again, to use Dr. Schabas's expression, it might "make for good theatre," but what we need to do now is move ahead on the basis of the information that we do in fact have.

In December 2004, the provincial infectious disease advisory committee sent out its best practices document on *C. difficile*—back in 2004. Since then, we've established 137 new infection control positions in hospitals. Handwashing guidelines have been referenced countless times during the past several years. In March 2007, the acting chief medical officer of health—

*Interjection.*

**The Speaker (Hon. Steve Peters):** I've warned the member from Renfrew repeatedly. Any more outbursts and I'll be forced to eject him. Premier.

**Hon. Dalton McGuinty:** Just to list a few of the steps that have been taken even more recently: In March 2007, the chief medical officer of health sent out *C. difficile* fact sheets to all our medical officers of health and our hospitals. They sent out countless *C. difficile* bulletins as well in the same month. In May, they held focus seminars. There have been video conferences. We have updated best practices documents—

**The Speaker (Hon. Steve Peters):** Thank you. New question, the member from Beaches–East York.

### POVERTY

**Mr. Michael Prue:** My question is to the Premier. After the minister of poverty reduction's private, by-invitation-only, last-minute so-called poverty consultations are over, Ontarians have now learned from her that no public report will be released. Countless taxpayers' dollars are being spent on these sham hearings. The poor have barely been consulted, and now we know that there will be no report released.

This government must be accountable. Why won't the government show that it's serious about reducing poverty



and publish a report before the Legislature returns in September?

**Hon. Dalton McGuinty:** I'm pleased with the work that Minister Matthews is doing on behalf of all Ontarians. We have committed ourselves, notwithstanding some challenging economic circumstances, to find a way to make a real difference in the lives of families, but especially children who are growing up in poverty in Ontario.

There have been a number of consultations held throughout the province. I understand that there will be several held in the greater Toronto area—tonight, in fact—and I would invite the member opposite to hold one on his own.

I just don't think that families affected by poverty are looking for another report. I think they're looking for action, and that what we've committed to do.

**Mr. Michael Prue:** Obviously, the Premier has not listened to the criticism that has been out there—the outcries of Ontarians who were shut out of the meetings. Surely the public has the right to hear what the hand-picked few had to say at those meetings.

We wonder why the minister is afraid to release her findings. Why won't this government prove that it is serious about reducing poverty and make its findings public?

**Hon. Dalton McGuinty:** I understand that there are three public meetings tonight in the city of Toronto. The member opposite is invited to attend whichever one he would like to attend. I am also advised that the minister had been writing on her website after each meeting. He can log on and read the updates that are made available there.

What we are determined to do is to put in place specific indicators that help us better understand poverty, help us better measure poverty, put in place some ambitious targets and then make transparent our successes or, frankly, lack thereof when it comes to achieving those targets. That has never been done before. It has never been embraced by any government before. We look forward to doing that. We think it's the right thing to do. And in a highly competitive global economy, it's absolutely essential that we issue an all-hands-on-deck edict to all Ontarians. We need everybody at their best, and that's what we intend to do.

#### DISASTER RELIEF

**Mr. Bill Mauro:** My question is to the Minister of Community Safety and Correctional Services. On Thursday evening and Friday morning in Thunder Bay and surrounding area there was an incredibly heavy rainfall in a very short period of time. I want to thank you, your staff and the ministry for all their support and constant communication. I appreciate the work of the EMO.

Minister, small organized communities in my riding like Neebing, Oliver Paipoonge, O'Connor, Conmee, Gillies and Fort William First Nation have been severely affected in terms of their infrastructure as a result of the

downpour, which led to localized flooding. As well, unorganized areas like Nolalu have been severely affected, and their local services board is working diligently to fix and repair the damage caused by the rain.

Minister, can you provide this House with a status update of the situation in my affected communities?

**Hon. Rick Bartolucci:** I would like to thank the member for Thunder Bay–Atikokan for this very important question. Last Friday, a sudden rainstorm caused pretty significant flooding in Thunder Bay-area townships and the Fort William First Nation. Emergency Management Ontario successfully coordinated the provincial response and facilitated the flow of information between the province and the municipalities.

EMO field officers were deployed to the area to provide advice and assistance as necessary, and the Office of the Fire Marshal assisted by coordinating local fire services. The Ontario Provincial Police is actively working with affected communities to warn the public of any dangerous road conditions and is taking steps to make communities accessible by road.

The provincial emergency operations centre continues to monitor the situation closely. We are thankful that no serious injuries occurred, and we thank the communities for their incredible interactions during this very serious time.

**Mr. Bill Mauro:** As mentioned, many small townships in unorganized areas have been severely damaged. Our government has recognized that small townships have small tax bases and major infrastructure responsibilities. Through our budget announcements and infrastructure programs, communities like Gillies, Oliver Paipoonge, O'Connor, Conmee and Neebing have received provincial assistance for roads and bridges in their areas.

By Saturday afternoon, I had managed to reach most of my affected mayors, although some, understandably, were very busy. These mayors and residents of unorganized areas will once again be looking to us for assistance. Mayors like John Valenthe in Gillies, Bob Rydholm in Conmee, Ron Nelson in O'Connor, Steve Harrasen in Neebing and Lucy Klusterhuis in Oliver Paipoonge, as well as my residents in unorganized areas, want to know what assistance we will be able to provide as they struggle to meet this latest challenge. Minister, what assistance is available for these communities in my riding of Thunder Bay–Atikokan?

**Hon. Rick Bartolucci:** Speaker, to the Minister of Municipal Affairs and Housing.

**Hon. Jim Watson:** I join my colleague Minister Bartolucci in thanking the member from Thunder Bay–Atikokan for his hands-on work with this very troubling situation in northwest Ontario.

1120

The Ontario disaster relief assistance program, ODRAP, provides assistance when damages are so extensive that they exceed the capacity of a municipality or a community to pay those costs. I understand that the townships of O'Connor and Gillies have, in fact, declared



a state of emergency under the Emergency Management and Civil Protection Act. Affected municipalities have up to 14 days after the emergency to declare a state of emergency.

My ministry will work quickly to work with the member and to help those municipalities in need. Ministry staff will evaluate all requests for assistance by ODRAP, and I'll review their recommendations quickly. I can assure the member that our staff will work with the affected municipalities to help them through the ODRAP process.

### TOURISM

**Mr. Ted Arnott:** My question is for the Premier. At a cost of \$8 million, the Premier recently appointed the member for Vaughan to study the tourism industry in Ontario. But we need action now, not a year from now or two years from now, as per the study's original time frame. Today our tourism industry is heading into what could be one of its worst summers on record. That's why John Tory's plan to eliminate the retail sales tax on accommodation and attractions would stimulate tourism so that families can save money and actually have their holidays in Ontario. My question is this: Will the Premier instruct his \$8-million tourism czar to at least consider this plan, and if not, what immediate relief will he provide the tourism industry this summer?

**Hon. Dalton McGuinty:** I want to commend my colleague opposite for his ongoing commitment to enhancing tourism opportunities in Ontario. I want to let him know that we continue to make some real progress in that regard.

More Ontario families are choosing to vacation in the province than ever before. Our plan to increase tourism within the province in particular is working in helping to grow the economy. Stats Canada figures from April to June 2007—we look forward to seeing where they're going to be for this year—show 21 million visits within the province. That's a 5% increase over the year before. It's the third-highest increase in Canada. Some \$2.3 billion was spent on travel; that was nearly a 4% increase over the year before. Some \$1.4 billion was spent on overnight trips; again, that was nearly a 4% increase over the year before. So, notwithstanding a struggling economy otherwise, tourism continues to grow at a healthy rate in the province.

**Mr. Ted Arnott:** That's just not good enough. Their study so far has done nothing except put tourism in the red—Liberal red, incidentally. It's just the beginning of June and our tourism numbers are already in freefall. Just ask the members from Simcoe North and Parry Sound—Muskoka. Our plan would allow families to keep their summer travel plans in Ontario. The Premier's plan offers nothing but travel plans for the member for Vaughan. I ask the Premier: What will he do today to stop the ripple effect that a weakening tourism industry will have on our economy this summer?

**Hon. Dalton McGuinty:** Again, one of the things of which we are very proud is our advertising campaign:

"There's no place like this." I know that the member opposite will have seen some of those ads, and I'm sure that he's very much supportive of those. We've been using a number of entertainers and Ontario personalities to help promote the quality of the tourism experience in Ontario. Especially given rising gas prices, I know that Ontario families are still determined to seek out some kind of experience, modest though it may be, when it comes to having some kind of a holiday opportunity with the children. We are strongly encouraging them to look just around the corner to the wonderful experiences that are to be found in this province. From the great northwest all the way down to the Niagara region, there are all kinds of great family, quality opportunities to be enjoyed this summer in Ontario.

### RENEWABLE ENERGY

**Mr. Peter Tabuns:** To the Minister of Energy: Minister, your recent changes to the renewable energy standard offer program will curtail the provision of badly needed wind, biomass and solar power in this province. You have a continuing policy to keep OPG out of developing renewable power, although they have considerable expertise. Minister, why are you turning your back on renewable power? Why are you betting the province's future on your nuclear gamble?

**Hon. Gerry Phillips:** Actually, it's quite the contrary, I might say. He perhaps doesn't understand it. Our whole idea is to more than double the use of renewables in Ontario. As a matter of fact, we'd hoped that under this plan, called RESOP, to have over a 10-year period 1,000 megawatts. After 18 months, we've already signed, I think, 1,400 megawatts. It is phenomenally successful—so successful that we are making some adjustments to continue to expand it dramatically.

I would say to the member that in the next few days we will be going out for another 500 megawatts of clean, renewable energy. We are going to be going out for another 500 megawatts of combined heat and power. We are aggressively pursuing—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary?

**Mr. Peter Tabuns:** So if you're aggressively pursuing it, why do sustainable energy advocates say that you're cutting back in the north and southwestern Ontario and eastern Ontario? Why are you suspending those payments? Why are you suspending those purchases of renewable power? Why are you not going to the maximum on renewable power and avoiding the \$40-billion nuclear gamble?

**Hon. Gerry Phillips:** Again, I say to the member, and particularly to the public, we are aggressively pursuing and expanding the reuse of renewable resources. Our problem is that we have an excess of applicants wanting to come forward and we are trying our best to accommodate them. The member should recognize that what we're doing in the next few days is another 500 megawatts. The renewable energy program—the RESOP



program—is one of a kind in North America. We're very proud of it; 1,300 megawatts after 18 months. We thought we'd do it in 10 years and we did it in 18 months. We are going to continue wherever we can to accept those applications.

To the member, there may be the odd person who may be complaining because they can't get access, but for the overwhelming majority of people involved in renewable energy, I think they would say that Ontario is leading the way, and we will continue to do that.

### ELDER ABUSE

**Mrs. Carol Mitchell:** My question is for the minister responsible for seniors. Minister, elder abuse is a very serious issue facing many of our seniors in Ontario, and it is estimated that between 4% and 10% of Ontario seniors experience some form of abuse at some point during their later years. I'm certain that all of my colleagues in this Legislature would agree that simply is not acceptable. Ontario seniors have played a crucial role in building our province and we must protect them from all forms of abuse.

Can the minister responsible for seniors please inform the House what steps our government has taken to prevent elder abuse from occurring?

**Hon. M. Aileen Carroll:** I thank the honourable member for her question. She is quite right, as ever. Elder abuse cannot be tolerated. Ontario seniors have helped to build and maintain a strong Ontario, and they continue to make valuable contributions to our province. Our seniors deserve to live with dignity and they deserve respect and to be in a safe environment. That's why this government is building safer communities for Ontario's seniors by investing in the elder abuse prevention strategy.

I'm more than pleased that the McGuinty government recently provided \$209,000 for the Ontario Network for the Prevention of Elder Abuse to help the prevention network protect seniors from all forms of abuse. This investment will ensure that Ontario's seniors have the help and support they need to live safely and with dignity.

**Mrs. Carol Mitchell:** I am very pleased that the government recognizes the seriousness of elder abuse in Ontario. My riding of Huron-Bruce is home to a very large number of seniors, so this issue is of a great deal of interest to me professionally and personally. The government and its partners must work together to raise awareness of elder abuse and they must continue to support prevention initiatives across our province. After many years spent working and raising a family, seniors deserve to be treated with the utmost respect for all that they have contributed to our society.

Can the minister explain how this elder abuse prevention funding will protect our Ontario seniors?

1130

**Hon. M. Aileen Carroll:** In spite of the catcalls, which I guess indicate some lack of interest or indifference to this matter, people on this side of the House consider elder abuse an incredibly important issue, one

that we are compelled, with any sense of fiduciary duty, to be right out in front on, doing all that we can as a government.

The funding that I made mention of helps Ontario's seniors by supporting 52 community-based elder abuse networks in the province. Each community network partner received \$4,000 to help with the service coordination, front-line staff training and public education. It will also help the networks mobilize community activity to help prevent, and respond effectively to, elderly abuse. This funding indeed builds on the McGuinty government's \$1.65-million strategy to combat elder abuse, and that is the first of its kind in Canada.

### SCHOOL TRUSTEES

**Mrs. Joyce Savoline:** To the Minister of Education: The public trust has been shattered and you have lost the confidence of Ontario taxpayers. Your disappointing and also delayed reaction to the spending violations within the Toronto Catholic District School Board is amplified by the not one, but two people you have hired at exorbitant rates to investigate this issue.

Minister, your performance on this issue has been really poor at best. When are you finally going to restore the public trust and confidence in the ministry's ability to deal with this issue?

**Hon. Kathleen O. Wynne:** It is a little astonishing to me, the reaction from the member opposite. I have been spoken to a number of times over the weekend by people in the public coming up to me and saying, "Your government has done the right thing"; teachers from the school board coming and saying to me, "You are on the right track. You have done the right thing. Thank you very much."

So in fact, everything that we have done as a government, everything that I have done as the minister—to act on the information that I got from the Toronto Catholic District School Board, from the investigators who went into the school board—has been in the interest of restoring public confidence in that school board and in publicly funded education in general. At the end of the day, what this is about is the fact that we need all of our kids in the absolutely best learning environments possible. That's what our actions are about.

**Mrs. Joyce Savoline:** Minister, that's one in a long list of pat answers that we've heard for many days. You're not fooling the opposition and you're certainly not fooling the people of Ontario. Your inactions have compromised the reputations of trustees who are working, and have acted, within the confines of the law.

Now we see that your former colleagues have been charging their home cable bills to the taxpayers of Ontario. Minister, will you suspend the salaries and benefits of those trustees who have breached the public trust and restore the confidence back into education?

**Hon. Kathleen O. Wynne:** My actions have been taken in order to make sure that at the Toronto Catholic District School Board and school boards across this



province, public dollars are spent in the public interest and for the benefit of our students. That is why we have a supervisor now in the Toronto Catholic District School Board. That is why that supervisor will be making financial decisions on that board.

The fact is that the Toronto Catholic District School Board situation is a cautionary tale. There are boards across the province who are looking at their expenses and looking at their policy guidelines. They must all be transparent. There must be checks and balances in place.

The issue that member opposite raises is one at a school board where there are checks and balances in place. There is money being paid back. Those receipts are vetted. Those must be transparent to the public. That's what my actions have done, shone a light on the issues at boards across—

**The Speaker (Hon. Steve Peters):** New question.

### CHILD CARE

**Mr. Paul Miller:** My question is to the Minister of Community and Social Services. Grandparents play a crucial parenting role when their own children are unable to do so due to mental health problems, drug abuse or other life issues. Grandparents in some parts of our province—Hamilton, London and Ottawa—have been, or are about to be, cut off the Ontario Works temporary care assistance. This program provides basic financial supports to low-income grandparents to meet their unexpected parenthood duties.

The minister seemed reluctant to act on this issue at our meeting last week. Perhaps she has given it more thought. So I ask again: Why won't this government immediately direct all municipalities to stop cutting grandparents off from temporary care assistance for no good reason?

**Hon. Madeleine Meilleur:** First of all, let me congratulate and thank the grandparents who are taking care of their grandchildren. They are rendering a very needed service, and I want to say thank you to them.

This temporary care assistance is short-term. It says so; it's temporary care assistance. Different municipalities have applied different rules, and I thank the member from the NDP for bringing this to my attention. We need to review it. We cannot apply rules in different areas differently.

However, I'll say to the member: This is a temporary care assistance allowance, and we are going to review all this within the review of the poverty reduction strategy.

**Mr. Paul Miller:** I guess the minister's interpretation and my interpretation of legislation are different. Minister, as you and your staff know, there is no legitimate reason to cut off grandparents from temporary care assistance benefits. You say it's temporary. Your program directives clearly state that temporary care assistance is intended to be available for as long as the child needs the care. When will you direct all municipalities to fully implement your ministry's temporary care assistance program and stop undermining grandparents

who are raising their vulnerable grandchildren? These people need help now, not after a big review.

**Hon. Madeleine Meilleur:** I think that the legislation is very clear. It's temporary care assistance, but it was brought up by the member from the NDP that it's being applied differently in Hamilton. However, the member of the opposite party is asking me to reverse a decision that was rendered by a tribunal. I cannot do that. All members in the House know that.

What I'm saying is, this needs to be reviewed within the poverty reduction strategy. We will do it.

Again, I want to thank and show my appreciation to the grandparents who are taking care of their grandchildren.

### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Dave Levac:** My question is for the Minister of Community and Social Services. Minister, we have heard the rumbling, the gnashing of teeth and the wringing of hands from the official opposition about the closure of Ontario's developmental services institutions, where our sons and daughters, our brothers and sisters and relatives with intellectual disabilities have been isolated and excluded from our communities for decades. We are aware of the services of the extremely dedicated professional and caring staff providers. Specific to our most vulnerable citizens, can the minister please explain to us what impact this closure will have on them and their families?

**Hon. Madeleine Meilleur:** First of all, I want to thank the member for Brant for his constant advocacy for the full inclusion of those with disabilities. It is unfortunate that the opposition has decided to play political football with the lives of Ontario's most vulnerable. They say that those with intellectual disabilities are made homeless and live in long-term care, which is incorrect. They are playing politics with the lives of those who have been forgotten for far too long.

The story of this transition is a new era of inclusion and it's a positive one. It is a story of people who have been handicapped by a system that dismissed their abilities. It is a story of people finding new friends, new places to live, new chances to work and a new opportunity for life. This government will continue to support and care for Ontarians with intellectual—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Dave Levac:** I appreciate hearing what the minister has to say about the new delivery of these particular services. I'm also sure that Ontarians all over the province will join those living with intellectual disabilities and their families in celebrating the end of an era of exclusion and embrace more inclusiveness and diversity in our communities, and I hope we get rid of the NIMBY attitude that some have.

1140

It seems to me and to others that the members of the opposition are just a little bit confused as to the process



surrounding these closures. They suggest that we are forcing these vulnerable citizens out of their homes and are unconcerned about the well-being of these wonderful people. Is there any possible way that the minister can clear up the opposition's confusion? I know it's a tough question, but I'm sure she can answer it.

**Hon. Madeleine Meilleur:** Yes, it is unfortunate that the opposition has decided to play a football game with these individuals. So far, this government has invested \$279 million in funding to close facilities and to strengthen the foundation of community services. Of this funding, \$70 million went into capital projects to create community-based living accommodation, and the remainder has gone into providing additional community services and developing infrastructure. We are confident that with this careful and thoughtful planning—involving families, ministry staff, health professionals and community partners—facility residents will be successfully placed. This government wants to make sure that these individuals are fully included in our community.

#### ROAD SAFETY

**Mr. Frank Klees:** My question is to the Attorney General. On Thursday of this past week, my colleague Mr. Runciman raised the issue of the leniency of the sentence handed down to the driver responsible for Mr. David Virgoe's death, the result of street racing. The Attorney General is fully aware that the only way he can ensure that justice is done and that the will and intent of this Legislature—as expressed by legislation that was passed here—is exercised by the courts is if he appeals that lenient decision. I'd like to know whether the Attorney General will commit today that he will in fact appeal that lenient decision.

**Hon. Christopher Bentley:** Not surprisingly, I'm not going to comment on the specifics of the member's question. I will say to the member—and we've had discussions about this before, as have all members of the House—that we take street racing very seriously. Whether it is under the Criminal Code or under our new highway traffic legislation, it is simply unacceptable. It not only places the driver at risk, it places all members of the public who are users of the roadway at risk—for no reason whatsoever.

We will continue to prosecute these cases to the full extent of the law, continue to take them very seriously. As I indicated to the member before, on the specifics of that matter, the process is that a report is received from the trial crown so the chief prosecutor can be aware of all of the circumstances, and the decision will be made in due course on the issue of the specifics my colleague asked.

**Mr. Frank Klees:** In responding on Thursday, the minister said the following: "Our government has made it clear, both with provincial legislation and in prosecuting federal legislation, which this is, that we take these matters very seriously. We prosecute them to the full extent

of the law. We take a strong position in favour of public safety on these and all matters at all times."

The minister knows fully that the only way to ensure in this case that this individual is prosecuted to the full extent of the law is if he appeals this case. We fully understand that he wants to review information, but what we also want to know from him is that he will uphold the intent, through the power that he has to appeal, as fully expressed by—

**The Speaker (Hon. Steve Peters):** Thank you, Minister.

**Hon. Christopher Bentley:** I thank the member opposite for reading my quote from the other day—it saves me the necessity of repeating it—because that is precisely the position. And we give all matters that have the potential for an appeal due consideration. I know my friend opposite would want us to receive the report from the trial crown—because the chief prosecutor was not present in court, I know the member opposite would want us to receive all of the information that was tendered not only by the defence but by the crown, including victim impact information, so that we have a full examination of all the facts before making that decision. And that in this case, as in all cases, is what we endeavour to do, and then that decision will be made in full consideration of the principles that I've outlined and my friend has quoted.

#### HEALTH CARE FUNDING

**M<sup>me</sup> France Gélinas:** Ma question est pour le premier ministre. "With horrific cuts in the auto industry devastating Durham region, it's a fine time to kick the mental health supports out from under the area's residents," say the Ontario Public Service Employees Union as well as the Ontario Nursing Association. Can the Premier explain, in the wake of massive cuts to the region's flagship employer, General Motors: How is cutting 200 staff and 80 beds at the local hospital in Durham region good public policy?

**Hon. Dalton McGuinty:** I'm not familiar with the specifics of this particular matter, but I can say that we continue to invest new dollars in health care. We've invested substantial new dollars since we first earned the privilege of serving Ontarians as their government. I gather that some local officials, in their wisdom, are considering making certain kinds of changes. We'll have to wait and see whether that bears out in fact.

I can say that our government has demonstrated its ongoing commitment to health care with more doctors and more nurses and shorter wait times, dramatic new investments which are resulting in an improved quality of care available for all Ontario patients and our families. I look forward to hearing more about the details of this in the supplementary, but I want to assure the member opposite that the main thrust of our health care policy is to enhance it, and that's done in part by new funding.

**M<sup>me</sup> France Gélinas:** Here's what Smokey Thomas, the head of OPSEU, the Ontario Public Service Employees Union, had to say: "This is a gutting of hospital

services for the communities of West Durham and Scarborough. We were promised efficiencies; instead we are seeing critical cuts to core services. This doesn't solve a problem—it merely pushes it off to somewhere else in the health system.”

As Smokey Thomas asks, will the Premier agree to step in right now, reverse these cuts and get the hospital back on course to help the people through tough times?

**Hon. Dalton McGuinty:** Again, I can only speak to this at kind of a higher level because the Minister of Health has the details on this. I can say that with respect to the Rouge Valley Health System in particular, we have provided more operating dollars every year. We have increased the base funding to Rouge Valley Health System by 15.5% since 2003. As a result of our government's commitment to hospitals and patients in Ontario, hospital funding will have increased—this is overall—40.3% between 2003-04 and 2009-10. We think that is a significant new investment.

In the 2008 budget, the government committed to \$80 million over the next three years to further improve mental health and addiction services, including funding to increase treatment for eating disorder services and early intervention for psychoses. We think that we are making some considerable progress. We want to continue to work with our partners who work on the front lines, but I want to assure all of them that our intention is to enhance the quality of the experience in any health care setting for all Ontario families.

#### MEMBERS' ANNIVERSARIES

**The Speaker (Hon. Steve Peters):** Before the members depart, I just want to take this opportunity to congratulate the co-deans of the Legislature, who today are celebrating their 31st anniversary: Jim Bradley, Norm Sterling, congratulations and thank you very much.

#### PETITIONS

##### POPE JOHN PAUL II

**Mr. Frank Klees:** Speaker, with your permission, I want to extend a special welcome to my constituents Audrey and Harry Neary from Aurora.

I have a petition that I would like to present, submitted by Michael Bolton of Sacred Heart secondary school in Newmarket. It reads as follows:

“Petition to the Parliament of Ontario:

“Whereas the legacy of Pope John Paul II reflects his lifelong commitment to international understanding, peace and the defence of equality and human rights;

“Whereas his legacy has an all-embracing meaning that is particularly relevant to Canada's multi-faith and multicultural traditions;

“Whereas, as one of the great spiritual leaders of contemporary times, Pope John Paul II visited Ontario

during his pontificate of more than 25 years and, on his visits, was enthusiastically greeted by Ontario's diverse religious and cultural communities;

“Therefore we, the undersigned, petition the Parliament of Ontario to grant speedy passage into law of the private member's bill by Oak Ridges MPP Frank Klees entitled An Act to proclaim Pope John Paul II Day.”

As a proponent of this bill, I'm pleased to affix my signature, and present it to page Gregory to deliver to the table.

1150

##### LONG-TERM CARE

**M<sup>me</sup> France Gélinas:** I have a petition from the people of the city of greater Sudbury.

“Whereas understaffing in Ontario's nursing homes is a serious problem resulting in inadequate care for residents and unsafe conditions for staff;

“Whereas after the ... government removed the regulations providing minimum care levels in 1995, hours of care dropped below the previous 2.25 hour/day minimum;

“Whereas the recent improvements in hours of care are not adequate, vary widely and are not held to accountable standards;

“Whereas there is currently nothing in legislation to protect residents and staff from renewed cuts to care levels by future governments; and

“Whereas care needs have measurably increased with aging and the movement of people with more complex health needs from hospitals into long-term-care homes;

“Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“Immediately enact and fund an average care standard of 3.5 hours per resident per day in the regulations under the new Long-Term Care Homes Act.”

I fully support this petition, will affix my name to it and send it with page Jocelyn.

##### POPE JOHN PAUL II

**Mrs. Laura Albanese:** I have a petition from the residents of York South-Weston.

“To the Legislative Assembly of Ontario:

“Whereas the legacy of Pope John Paul II reflects his lifelong commitment to international understanding, peace and the defence of equality and human rights;

“Whereas his legacy has an all-embracing meaning that is particularly relevant to Canada's multi-faith and multicultural traditions;

“Whereas, as one of the great spiritual leaders of contemporary times, Pope John Paul II visited Ontario during his pontificate of more than 25 years and, on his visits, was enthusiastically greeted by Ontario's diverse religious and cultural communities;

“Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario to grant speedy passage into law of the private member's bill”—Bill



25—"entitled An Act to proclaim Pope John Paul II Day."

I agree with this petition and affix my signature to it. I will hand it to page Gregory.

### BLUEWATER HEALTH

**Mr. Robert Bailey:** I have a petition today signed by over 8,000 residents in Sarnia-Lambton that reads as follows. I'd like to pay special notice to the lady who collected them, Arlene Patterson, who's with me here today.

"Whereas the community of Sarnia-Lambton has lost confidence in the administration of Bluewater Health corporation, due to the reduction of services;

"Whereas community concerns regarding the lack of information, cuts, layoffs, firings, closed board meetings and complaints have met with defensiveness; and the hospital is in a serious dispute with its doctors that has been unresolved for over a year;

"Whereas the community funds the hospital through donations and municipal tax levies and relies on our hospital as a vital public service, and taxation without elected representation is undemocratic;

"We, the undersigned, petition the Minister of Health to send a provincial supervisor to conduct a full investigation into the operation of Bluewater Health, with the intent to make the required changes that will resolve these concerns from physicians, staff and community. We also petition the minister to help to change the bylaws of the hospital corporation, so that the board members are elected by a bona fide community membership at an annual general meeting at the Bluewater Health corporation."

I affix my signature to this as well.

### ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

**Mr. Mike Colle:** I have a petition here from the good people at the Westside Animal Hospital.

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Society for the Prevention of Cruelty to Animals Act has not been updated since 1919;

"Whereas Bill 50 would require all veterinarians to report suspected abuse and neglect, protecting veterinarians from liability;

"Whereas it would allow the OSPCA to inspect and investigate places where animals are kept;

"Whereas the bill would prohibit the training of animals to fight;

"Whereas Bill 50 would allow the OSPCA to inspect roadside zoos;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 50, entitled the Provincial Animal Welfare Act, 2008, to protect our animal friends."

I agree with the people of Westside Animal Hospital. I affix my name and I give the petition to page Chris, who is from the great riding of Etobicoke-Lakeshore.

### LORD'S PRAYER

**Mr. John O'Toole:** I have a series of petitions here. This particular group comes from Living Water Community Church, which is located in Uxbridge. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its" rightful "place at the beginning of daily proceedings in the Ontario Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message of forgiveness and the avoidance of evil is universal to the human condition; it is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly ... to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I'm pleased to sign it in support and present it to Gregory.

### HOSPITAL FUNDING

**Mr. Joe Dickson:** "To the Legislative Assembly of Ontario:

"Whereas the Central East Local Health Integration Network ... board of directors has approved the Rouge Valley Health System's deficit elimination plan...; and

"Whereas, despite the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a project that could reach \$100 million, of which 90% is funded by the Ontario government, this plan now calls for the ill-advised transfer of 20 mental health unit beds from Ajax-Pickering hospital to the Centenary health centre...; and

"Whereas one of the factors for the successful treatment of patients in the mental health unit is support from family and friends, and the distance to Centenary health centre would negatively impact on the ... care for residents of Ajax and Pickering; and

"Whereas it is also imperative for Rouge Valley ... to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Rouge Valley Health System continue to provide the current level of service to our Ajax-Pickering

hospital, which now serves the fastest-growing communities of west Durham; and

"That the Ajax-Pickering hospital retain the badly needed 20-bed mental health unit."

I shall affix my signature to this and pass this to Charles.

### LORD'S PRAYER

**Ms. Sylvia Jones:** This petition is to the Legislative Assembly of Ontario.

"Whereas the current government is proposing to remove the Lord's Prayer from its place at the beginning of daily proceedings in the Ontario Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message is one of forgiveness, of providing for those in need of their 'daily bread' and of preserving us from the evils we may fall into; it is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I proudly affix my signature.

### FIREARMS CONTROL

**Mr. Mike Colle:** I have a petition here.

"To the Legislative Assembly of Ontario:

"Whereas innocent people are being victimized by the growing number of unlawful firearms in our communities; and

"Whereas police officers ... and" other "licensed persons are the only people allowed to possess firearms; and

"Whereas a growing number of unlawful firearms are transported, smuggled and found in motor vehicles; and

"Whereas impounding motor vehicles and suspending driver's licences of persons possessing unlawful firearms in motor vehicles would aid the police in their efforts to make our streets safer;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 56, entitled the Unlawful Firearms in Vehicles Act, 2008, into law, so that we can reduce the number of crimes involving firearms in our communities."

I affix my name to the petition and I give it to page Kelvin from the riding of Eglinton-Lawrence.

### SCHOOL CLOSURES

**Mrs. Joyce Savoline:** I have a petition here from the parents of the students of Rideau Centennial Elementary School in Portland, Ontario, requesting that the Minister of Education in the province of Ontario review the

accommodation review process of the Upper Canada District School Board under the Boundary 2020 study. The board made their school closure resolutions on May 14, 2008.

I agree with this petition and I affix my name thereto. I give this petition to Jocelyn.

### HOSPITAL SERVICES

**Mr. Garfield Dunlop:** I have petitions here from the citizens across Ontario, but mainly from the Midland and Penetanguishene area.

"To the Legislative Assembly of Ontario:

"Whereas the government-appointed supervisor of the Huronia District Hospital (HDH) has recommended a merger of HDH with the Penetanguishene General Hospital (PGH);

"Whereas the supervisor recommended changes to the governance of the hospital to eliminate community memberships and the democratic selection and governance of the hospital board and directors based on an ideology and not on the wishes of the community;

"Whereas the supervisor has also recommended the splitting up and divestment of the mental health centre in Penetanguishene, creating uncertainty in the future of mental health beds and services; and

"Whereas hospital mergers and restructuring under the local health integration network can result in a loss in the total number of hospital beds and services provided to a community,

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to

"Protect the current level of beds and services at all sites in Midland and Penetanguishene;

"Protect the community memberships and the democratic governance of the new hospital created by the merger of HDH and PGH."

I'm pleased to present this and ask Murray from Orillia, the Warminster area, to present it to the table.

### ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

**Mr. Kevin Daniel Flynn:** I've got a petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas the Ontario Society for the Prevention of Cruelty to Animals Act has not been updated since 1919;

"Whereas Bill 50 would require all veterinarians to report suspected abuse and neglect, protecting veterinarians from liability;

"Whereas it would allow the OSPCA to inspect and investigate places where animals are kept;

"Whereas the bill would prohibit the training of animals to fight;

"Whereas Bill 50 would allow the OSPCA to inspect roadside zoos;



"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 50, entitled the Provincial Animal Welfare Act, 2008, to protect our animal friends."

I agree with this petition, Speaker, sign it and send it on to you with page Chris.

#### ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

**Mr. Charles Sousa:** This petition is in support of Bill 50. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Society for the Prevention of Cruelty to Animals Act has not been updated since 1919;

"Whereas Bill 50 would require all veterinarians to report suspected abuse and neglect, protecting veterinarians from liability;

"Whereas it would allow the OSPCA to inspect and investigate places where animals are kept;

"Whereas the bill would prohibit the training of animals to fight;

"Whereas Bill 50 would allow the OSPCA to inspect roadside zoos;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 50, entitled the Provincial Animal Welfare Act, 2008, to protect our animal friends."

I sign this and I give it to Charles.

#### HOSPITAL FUNDING

**Mr. Mike Colle:** I've got another petition from the wilds of western Mississauga to the Legislative Assembly of Ontario.

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility, thus greatly decreasing the pressures "....

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I support this petition for western Mississauga and I give it to page Chris from—I forgot. From which riding?

**The Speaker (Hon. Steve Peters):** He's not supposed to tell you.

**Mr. Mike Colle:** He's not supposed to tell me. It's a secret. I forgot.

**The Speaker (Hon. Steve Peters):** Thank you. The time for petitions being expired, this House stands recessed until 1 o'clock, this afternoon.

*The House recessed from 1204 to 1300.*

#### MEMBERS' STATEMENTS

##### UXBRIDGE COTTAGE HOSPITAL

**Mr. John O'Toole:** I rise in the House today to update members on the situation at Uxbridge Cottage Hospital and particularly the future of their emergency room. Earlier this year, the community was understandably concerned over the possible closure of the emergency room at the cottage hospital.

I attended a public meeting on June 3, and members of the public were told that the summer ER schedule is being filled and that by September, 11 doctors will be working in the ER. This is the plan. Janet Beed, the CEO for Markham Stouffville Hospital, of which the cottage hospital in Uxbridge is one of their sites, was there and gave a very thorough overview of the transitions occurring in health care. Cottage hospital chief of medical staff Dr. Michael Damus said at the meeting that there is an ongoing challenge to attract and keep doctors working in ERs across Ontario.

I'd like to commend Roger Peirson, chair of the Uxbridge physician recruitment committee; Tracy Evans, president of the Uxbridge Cottage Hospital Foundation; and all in the community, who are working hard to keep the ER open and to ensure that Uxbridge has a full range of hospital services. Community support in Uxbridge is extremely strong to retain all service levels in their hospital.

I would urge the government to look more closely at the funding of hospitals in Durham to ensure that they receive their fair share of funding under the HBAM program and to keep pace with the growing needs of a growing community. It's time that each of us recognize how vulnerable we are without a hospital in the community. Everyone is at a loss on how this government is failing. Smaller hospitals in rural Ontario are at threat many times.

##### CAPITAL FOOD BLITZ

**Mr. Yasir Naqvi:** I'm pleased to rise in the House today to share with members of this Legislature the wonderful activities that are taking place in my riding of Ottawa Centre. For a number of years prior to my election to this honourable chamber, I had the pleasure of working with the Ottawa Food Bank to coordinate the Capital Food Blitz, a door-to-door food collection initiative that is now in its fourth year. Each year, this event is growing, adding more teams and helping to collect more food from very generous Ottawa residents. Previous blitzes have taken place in the community of

Westboro, and this year we had the pleasure of returning to a very supportive neighbourhood while extending the food drive to the community of Glebe.

Last Thursday, armed with brown-paper grocery bags, I joined 80 volunteers to hit the streets in Glebe and Westboro to collect non-perishable food items. I'm pleased to let you know that together we collected 12,000 pounds of food in a span of just three hours. I am proud to inform the Legislature that the blitz raised 42,000 pounds of food in the last four years.

I want to congratulate Liz Wood, events manager at the Ottawa Food Bank, and the many volunteers for all their hard work and dedication to this event. I commend them on their tireless commitment to ensuring the success of this wonderful initiative.

### TOURISM

**Mr. Norm Miller:** As summer approaches, Ontario's tourism industry is facing one of its most challenging seasons in decades. In my riding of Parry Sound-Muskoka, many tourism-related businesses are concerned about what effect factors like the high Canadian dollar, record gas prices and the slowdown in the US economy will have on the upcoming summer season. Students are worried about finding summer jobs to pay for college or university, while small businesses are just wondering if they can make ends meet. A decline in tourism would be felt across Ontario, as the industry employs nearly 200,000 people and is the number one employer of youth and seasonal workers.

Recently, the Tourism Industry Association called for urgent action by all levels of government to help with the looming crisis, but the McGuinty government has failed to put forward any plan to address their concerns. Ontario's tourism industry cannot afford to wait for another report before the government takes action.

By eliminating the retail sales tax on hotels and accommodations, as proposed by John Tory and the PC Party, we can make it easier for families who are travelling to the many tourism destinations that our province has to offer, many of which are located in Parry Sound-Muskoka. In order to help this struggling sector, we need to encourage families to stay in Ontario for their summer vacations. We need to give a boost to our tourism sector now. I call on this government to implement the retail sales tax holiday on accommodations and attractions, as proposed by the PC Party.

### HOSPITAL SERVICES

**Ms. Andrea Horwath:** Proposed changes to hospital services in Hamilton have the community up in arms. Hamilton city councillors in fact are promising to mobilize. A major restructuring is being contemplated, with little real consultation with residents and users of our hospitals.

People in my riding are justifiably worried. They fear the worst. The proposal is extremely controversial. For

example, it would rob the West Mountain and the entire western area of Hamilton of an emergency department.

I have raised warning flags with our local health integration network, the LHIN, with the Minister of Health and with the administration of Hamilton Health Sciences Corp., but I believe there has been a serious lack of earnest dialogue with concerned members of our community. That has to change. It has to change, and it has to change fast.

Hamilton will not tolerate having a major restructuring of hospital services rammed down its throat. I put my concerns in a letter to the LHIN chair on May 5, and remain troubled that no one has bothered to respond to this urgent critical matter.

The McGuinty government, too, is ducking the issue. The hospital CEO feels that hosting a few public information centres and talking to his medical staff is all the consultation that's required, but even health care professionals at the hospital are not sold on the new direction. Ultimately, the hospital is for the community. Hamiltonians—through the LHIN—should make the decisions about services, not the local hospital administrator alone.

I call on the McGuinty government to guarantee a proper process for consultation to ensure it's the community that has the final say in this very important matter.

### MALVERN BICYCLE CLASSIC

**Mr. Bas Balkissoon:** I rise today in the House to tell you about a truly uplifting event I recently attended in my riding of Scarborough-Rouge River.

The Malvern Bicycle Classic is a road race for youths aged 10 to 18 in the Malvern community in Scarborough. This was the first year this race was held, and it was a resounding success. Sponsors generously outfitted 85 neighbourhood children with bikes and helmets, and the kids trained alongside police officers from the local police division in preparation for the races. The participants and spectators were treated to a display by the Toronto Police Service's precision motorcycle team, and the kids got to watch an elite group of 50 competitive racers in action.

The best thing to see was how the community came together for the children, to make this day happen. The city of Toronto, Toronto Police Service and the Ontario Cycling Association all worked together to encourage kids to get outside for a day of fun and some healthy competition.

Many sponsors supported the race, providing not only bikes and helmets but food and drinks, T-shirts and prizes. What I loved about the event was the energy of the kids, who were most obviously having a wonderful time. The Malvern Bicycle Classic is a great example of a neighbourhood coming together to promote healthy activity, good sportsmanship, positive community relations and self-esteem for our youth.

I'd like to especially recognize the work of Rick Gosling, Jim Crosscombe, Rick Meloff and Staff



Sergeant Jim Darbyshire. Congratulations to all the organizers, sponsors and participants on a very successful day.

### TOURISM

**Mr. Garfield Dunlop:** I rise today to comment on the inaction of the McGuinty Liberals to help support the drastically declining tourism industry in Ontario.

Over the weekend, I had the opportunity to participate in a boat and cottage show down at the beautiful Couchiching Beach Park in the city of Orillia. Without question, the biggest issue facing the citizens who attended is the high cost of gasoline and the fact that Dalton McGuinty is doing absolutely nothing to help relieve the impact.

I spoke to families who cannot afford to take any kind of vacation this year. I spoke to men and women who can no longer take their families to even a fast-food outlet because that money is now used to buy gasoline. I spoke to resort operators who will definitely be cutting back on summer staff this year because they simply do not have the business.

The PC caucus has a solution that will at least help stimulate the tourism sector. Three weeks ago, we launched our summer tax relief plan. This plan calls for the immediate elimination of the retail sales tax on tourism-related businesses. The Minister of Tourism calls it a piecemeal plan, but he has done absolutely nothing to gain the respect of the tourism industry.

Hundreds of millions, if not billions, of dollars will be lost in the tourism industry this summer. I call on this government to adopt the Progressive Conservatives' summer tax relief plan. Please indicate to the small-business communities that, for once, you actually care about their existence. Remember, the provincial sales tax savings may in fact be reason enough for many Ontarians to travel in Ontario this summer.

Once again, on behalf of all Ontarians, I urge the government to adopt the PC summer tax relief plan.

1310

### SKILLS TRAINING

**Mr. Mario Sergio:** Last Thursday, in my riding of York West, Premier McGuinty made an announcement at Seneca College regarding a \$355-million investment for the second-career strategy. The strategy will train people who have recently been laid off or have been unemployed since June 1, 2007, to find a new career and not just another job.

The second-career strategy offers training for up to two years, and it can be three years when combined with literacy and basic skills upgrading. Workers can choose between college or private career colleges for careers such as technical mechanical engineer, construction surveyor, building inspector, foreman, lab technician, accounting clerk, paralegal and so on. The second-career strategy will target and be of most benefit to laid-off

workers from the manufacturing and service sector and/or workers who have lower skill levels and want to upgrade to a higher level.

I would like to encourage people to find out more about the program by contacting their local employment office, which will direct them to their nearest assessment centre, or the Employment Ontario website, the Employment Ontario hotline, community colleges and private career colleges. Of course, there will be valuable information at the local constituency office.

I want to thank the Premier and Minister John Milloy for a new innovative program to provide long-term, full-time jobs and new skills for thousands of laid-off workers in our province.

### HOCKEY NIGHT IN CANADA

**Mrs. Carol Mitchell:** Last week, it was announced that the CBC has decided to stop licensing the theme for Hockey Night in Canada. The theme song has been used for almost 40 years, playing at the beginning and end of the NHL broadcasts.

Like many Ontarians, I was surprised and a little saddened by this announcement. In my household, when the theme song came on, it meant the end of the talking and the socializing. It was time to watch hockey.

While it may seem strange to some a theme song could be such a big part of the Canadian consciousness, the fact is that it is uniquely Canadian. It's something that can be heard in households in rural Ontario or a pub in downtown Toronto. It's so recognizable that many people even have it for their cellphone ring tone.

Over the weekend, the show of support for the song has been unbelievable. Radio shows, newspapers and blogs have been posting comments from Canadians who want the CBC to keep the theme song. I think I speak for many of my colleagues when I say that I hope the CBC and the song's composer can work out their differences and keep the theme song on the air.

We need to cherish our unique pieces of Canadian culture, and you really can't get much more Canadian than hockey on a Saturday night.

### FOREIGN-TRAINED DOCTORS

**Mr. Phil McNeely:** I am pleased to speak in the House today about the recent release of this government's report on international medical doctors. This report is a result of the hard work of my colleague from Etobicoke-Lakeshore, in which she presented five key recommendations as to how Ontario can further increase its number of internationally trained doctors. The recommendations include helping make the registration process for international doctors easier and more streamlined, introducing a transitional licence, and more efficient assessments.

This report complements the progress the McGuinty government has already made in the last four years when it comes to international medical doctors. In fact, we've



doubled the number of positions for international medical graduates from 90 spots to 200 spots. For the fourth straight year, more certificates were issued to international medical graduates than to Ontario graduates by the College of Physicians and Surgeons of Ontario.

Along with the report, this government will soon be introducing legislation that will build even further on this progress. This is good news for our hard-working internationally trained doctors as they enter practice in this province. It is also very good news for the Ontario families looking for a family doctor.

This government wants to ensure that Ontarians get the help and care that they need. The insights and recommendations from this report are another way that we are accomplishing that goal. Thank you, Laurel Broten, for your great work.

## ORDERS OF THE DAY

### PAYDAY LOANS ACT, 2008

#### LOI DE 2008 CONCERNANT LES PRÊTS SUR SALAIRE

Mr. McMeekin moved third reading of the following bill:

Bill 48, An Act to regulate payday loans and to make consequential amendments to other Acts / Projet de loi 48, Loi visant à réglementer les prêts sur salaire et à apporter des modifications corrélatives à d'autres lois.

**The Speaker (Hon. Steve Peters):** Further debate? Mr. McMeekin.

**Hon. Ted McMeekin:** It's again a privilege for me to rise in this House to take up third reading of the government's proposed Payday Loans Act, 2008. I should just say at the outset that I will be sharing my lead-off time with my parliamentary assistant, Charles Sousa, who is opposite and is eager to get going, I suspect.

I know you will permit me a moment to thank all members for the passion and professionalism demonstrated throughout the debate that followed second reading of this important proposed legislation. The debate was lively and the arguments were well presented on both sides, as both sides of the House recognize the importance that this legislation has to many Ontarians.

On a personal note, let me just share that, as members know, there was a four-week period or so where I was at home recovering from some surgery. I got to watch a fair bit of TV. I got to watch the best two political teams on television: CNN, which was covering primarily the Democratic debate, and of course the Legislative Assembly, which I watched with a great deal of eagerness.

**Mr. Bruce Crozier:** You've got to get a life.

**Hon. Ted McMeekin:** My friend said I should get out more often, but it was really good to hear so many friends in this place on all sides of the House, who stood to pass on their prayers and good wishes my way. I want to take a minute, if I might be allowed, to say thank you

for that. My spirits really were buoyed, and I think my recovery was expedited as a result of all the caring and sharing that was going on.

At the outset I want to give a word of special thanks regarding second reading and subsequent to Charles Sousa, my parliamentary assistant. Our colleague had already impressed many of us in this place with his role as MPP. As my parliamentary assistant, he delivered again by making over and over again the powerful arguments in support of the need for regulation and stability within the payday lending industry. Well done, Charles. You did good, and I'm proud of you.

**Mr. Peter Kormos:** Be careful, Ted. You've got a whole classroom up there behind you. Don't lose them.

**Hon. Ted McMeekin:** We certainly want to welcome the class up there as well, who are seeing democracy here at its finest.

I want to also take a minute to thank the ministry staff, who so often do so much of the real legwork and all too frequently aren't acknowledged for the wonderful work they do. I want to take a minute to thank them personally and read their names into the record. On the policy front: John Mitsopoulos and his team, which included Frank Denton, Jeff Hurdman, Diane Zimnica and Christina Christophe, who were very instrumental in pulling some of the policy issues together. On the communications side: Jennifer Lang, Scott Williams, Rose Bliss, Nemone Smith and Sherry Chartrand—wonderful people who did a really good job working to bring this day and this possibility forward. Let the record record that for historical purposes. When their grandchildren one day say, "What did you do at Queen's Park?" they'll be able to go back and say, "We put the first piece of payday loan legislation—which has been changed many times since, to be improved—into the books."

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I'm pleased to say that we've achieved what appears to be broad support for the passage of Bill 48 on both sides of this House. I am so very, very proud that, notwithstanding some of the specific technical differences we may have—and may have when this debate is over—at least we all recognize in this place the need for this legislation. That's really important.

Two weeks ago, I had the pleasure and the privilege of addressing the Standing Committee on General Government. They commenced the depositions and began clause-by-clause analysis of Bill 48. I thank all members of the committee for their diligence, for their hard work and for their passion with respect to this bill.

I restated at that time my belief that this proposed legislation strikes a precise and positive balance where payday lending is concerned. On one hand, there is a demand for better consumer protection in this industry. There's also the need for a fair and stable marketplace that will prevent consumers from going underground to get short-term loans. I'm happy to say that the proposed Payday Loans Act, 2008, does exactly that: striking, as I referenced, that precise and positive balance between the two major concerns involved in this issue.



The members of this House should know that many Ontarians do, indeed, have short-term requirements for payday lending services. They sometimes need money for necessities, something to tide them over before the next payday. Our proposed legislation of the industry is designed to protect them as consumers, but I've also made the case that the proposed legislation is a solid step in the fight against sustained, cyclical poverty in Ontario. It's more than that, but it's a significant step there as well. It's an important step, as all of us within government and all across Ontario know, that will help us focus more intently on the wide-ranging challenges associated with poverty in our beloved province.

To that end, I pledge to work tirelessly to move forward to better protect vulnerable consumers. That's our job as a government and as a House. I'm asking all members to join today in doing the same. From many of the fine submissions arising out of the committee process, you can see the clear need for this legislation and how cyclical debt continues to keep many of our citizens economically marginalized. The facts on the ground in many low-income areas across the province bear daily witness to this need.

As our friends from the United Way of Toronto shared with the committee, their Losing Ground report on poverty estimates that in 1995 there were 39 payday lending and cash-chequing outlets in Toronto. By 2007, they counted 317 such storefronts, the majority of which are situated in neighbourhoods targeted for support by the United Way. That's an eightfold increase just in Toronto alone. It's a concern for everyone in communities all across Ontario. It's a deep-felt concern, I know.

It is clear that continuing to allow the unregulated conduct of this necessary financial activity—often in low-income neighbourhoods—will only further the problem of cyclical debt. When you factor in harmful lending practices such as the so-called rollover loans, it was imperative to take action. That is why I am pleased to state again that our proposed legislation will provide for a stable, regulated payday lending industry in which customers will be protected and treated fairly.

Through the fine and dedicated work of my predecessor the Honourable Gerry Phillips, this government had already required the industry to provide clear and prominent disclosure regarding the total cost of borrowing on these loans. That move alone has helped us to better protect many consumers.

The passage of Bill 48 will do even more. We will license the entire industry, prohibit harmful lending practices and provide an extensive consumer protection and enforcement regime. We will also help to educate the public on issues of financial literacy, and we will do this through an education fund paid for by the payday lending industry itself.

Finally, an expert panel will recommend to the government a limit on the maximum total cost of borrowing associated with payday loan agreements. We are committed to getting this job done, and done as quickly as possible.

I want to tell you now what some very important outside observers have said about our proposed legislation.

Judy Vashti Persad of the Toronto and York Region Labour Council said, "We are pleased that the government has recognized the need for legislation to regulate the payday lending industry."

Edward Lantz of ACORN, a wonderful community service organization that helps so many people—and I see some nods in the House from those who have had the privilege, as we have, of knowing of their good work—tells us that "their members are encouraged that there will be a licensing regime introduced, that there will be inspections and that there will be a ban on the hidden fees that have caused so many problems for low- and moderate-income people across Ontario."

Patti Smith of National Money Mart said, "Speaking on behalf of a company that's actively sought government regulation for many years, I am delighted to see [this] legislation. Voluntary adoption of best business practices, as Money Mart has done for years, can only go so far. We need a government-mandated level playing field for all operators so that we can deliver industry-wide protection to consumers."

With all that said, I believe this House is about to do the right thing regarding payday loans. When this legislation passes, we will indeed have the strongest payday lending rules in the entire country. And we're going to get right to work on producing the important limit on the maximum total cost of borrowing. Payday customers will be better informed, payday customers will be better protected, and payday customers will be better able to address the needs of themselves and their families.

The proposed legislation would create a regulatory framework that encourages fair competition and discourages cycles of debt dependency, especially for those Ontarians who can least afford it. I think that has to be good news for all of us here in the House.

Again, I want to thank the committee members for their great work; Mr. Sousa for his active role and incredibly hard work and those long, long hours spent debating what seemed like so many fine points with respect to guiding this legislation down through the line; and you, Madam Speaker, for the time you kindly afforded me to make our case from this side of the House. Thank you very much.

**Mr. Charles Sousa:** Thank you, Minister, for your remarks and kind words. I want to say it has been a real privilege to participate with members from all sides to help bring this bill forward. I am pleased to stand with Minister McMeekin today and speak to some important details of Bill 48, the Payday Loans Act, 2008.

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If passed, this progressive piece of legislation would strengthen protections for Ontario consumers and their families. The bill would protect those Ontarians who from time to time rely on payday loans to help them through a short-term financial squeeze. It would modernize and regulate Ontario's payday lending industry in a fair and balanced manner.



The minister introduced Bill 48 on March 31, 2008. Before introduction, we consulted broadly with industry and consumer groups and with academic groups to gain valuable insight on the direction Ontario should take in this matter. We also co-operated closely with our provincial counterparts to ensure a harmonized approach where possible—all this to protect consumers who rely on payday loans.

On May 1, 2008, the bill was referred to the Standing Committee on General Government. During those two days of public hearings, we received many fine submissions. We consistently heard delegates' support for creating a stable and fair regulatory framework for the payday lending industry. I want to refer to one of these submissions. Gillian Mason, vice-president of strategic initiative and community partnerships, addressed the committee on behalf of the United Way of Toronto, an agency that does phenomenal work in providing a wide range of social services in this city.

Through its work, the United Way has seen the challenges that economically disadvantaged consumers face in society. It's these Ontarians, our most vulnerable consumers, that this bill is particularly intended to protect. Ms. Mason told us, "We are pleased that your regulatory framework does appear to have teeth. It is sound public policy that lenders who do not follow the rules will risk penalties, prosecution and possibly revocation of their licence. A balanced approach of meaningful enforcement and enhanced consumer education makes sense to us."

Let me take some time to highlight once again the strengths, or "teeth," of Bill 48. We understand that all consumers deserve equal and strong protections from harmful lending practices. As I mentioned during the committee hearings, full disclosure and enforcement are priorities within this proposed act. If passed, Bill 48 would create a licensing regime for payday lenders and payday loan brokers. This would immediately provide all users of payday loans with strengthened protections against dishonest operators in the industry.

Once licensed, lenders who don't follow the rules risk penalties. How are we going to enforce this? A registrar will be appointed under the proposed act to administer the legislation. The registrar would have the authority to conduct inspections of the business premises of a licensee. Subject to an appeal procedure, the registrar would be able to revoke or suspend licences. Also, the consumer protection branch of the Ministry of Government and Consumer Services would administer the administrative monetary penalty provisions. If convicted, a corporation could face a maximum fine of \$250,000. If convicted, an individual could face a maximum fine of \$50,000 or a maximum term of imprisonment of two years less a day, or both. We believe these types of penalties will make licensees think very seriously about breaking the law.

As we discussed during second reading, Bill 48 also proposes banning a variety of harmful practices that currently exist in the payday lending industry, such as rollover loans, concurrent loans, inflated default charges

and discounting loan principles. To demonstrate how these practices get out of control, consider this example. A 23-year-old making \$30,000 per year has to use a payday lender to get through a rough spell and finds him- or herself rolling one loan into another for weeks on end. This, all too often, comes about because the consumer cannot pay off their loan within the original loan term. The consumer rolls over the loan, and the cost of borrowing compounds with each rollover. This results in the consumer having to repay many times more than the original amount advanced. We won't allow this to happen under our proposed legislation.

Under Bill 48, payday loan borrowers would also be protected with a critical cooling-off period. The borrower would have two business days to cancel their payday loan agreement without penalty. The borrower doesn't need a reason to cancel the agreement. In short, the proposed Payday Loans Act, 2008, has been designed to prevent the lender from profiting from the borrower's inability to repay the loan.

I want to go back to another submission made before the committee. Neighbourhood Legal Services for London and Middlesex wrote, "We are pleased to see that under the proposed legislation a 'payday loan' company would be prohibited from making concurrent and back-to-back loans. It also appears the legislation will prevent payday lenders from imposing unreasonable default charges or cancellation fees. Again, we believe these are significant steps that are needed."

Indeed, creating a level playing field for all operators and banning prohibited practices are important steps forward in stabilizing and modernizing the payday lending industry.

I would like to talk now about perhaps the most important element of the bill, which is the Ontario payday lending education fund. The fund would help educate consumers in regard to financial planning and literacy. It would also promote awareness so that consumers better understand their rights and obligations under the proposed legislation.

The United Way, which I commend for playing a leadership role in this area, told us, "This is a good start on consumer education and it appears there may be more things to come. We look forward to learning more about the proposed Ontario payday lending education fund to be financially supported by payments from payday lenders and loan brokers. We agree with you on the need to educate the public, particularly with respect to financial planning, and we share your expectations that this can result in better-informed consumers."

Creating smart consumers is a strategy at the heart of Ontario's Consumer Protection Act, 2002, one of the most sweeping and proactive pieces of consumer legislation in the world. For several years, the McGuinty government has strengthened protections for Ontarians with amendments to the Consumer Protection Act, 2002, because we know that smart, informed consumers are good for business and a strong economy.



This bill springboards off the progress we have made. As the Honourable Stan Keyes, president of the Canadian Payday Loan Association, said, "Bill 48 follows legislative changes enacted in 2007 to improve disclosure and transparency for customers. This includes the requirement to prominently display posters that disclose the cost of borrowing for payday loans—something we advocated for—and the use of a standard form disclosing the details of a loan. By adding to those disclosure provisions by prohibiting rollovers and ending abusive charges, the government will ensure that payday loan customers are able to understand and compare rates and be protected from abusive practices. These are fundamental issues and we are pleased to see them dealt with in legislation."

The bottom line is that the education fund and full disclosure of information would give consumers more knowledge and clarity when they make borrowing decisions.

Finally, this proposed legislation would allow us to set a maximum total-cost-of-borrowing limit that can be charged in payday loan agreements. This proposed act prohibits hidden fees. If a consumer wishes to borrow \$300, all amounts that the consumer is required to pay to a lender to receive the \$300 are considered "cost of borrowing." It would be an offence to request or receive payment of the cost of borrowing before the end of the loan term. Again, it doesn't matter if charges are called interest, brokerage fees, administration charges or any other name; they are all part of the cost of borrowing.

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Ontario will establish an independent expert advisory board to recommend to the minister what an appropriate upper limit would be to the total cost of borrowing for payday loan agreements in the payday lending industry. Board members will be selected from the consumer sector, the financial sector and the academic community. As I said to members during second reading, it is essential to set the limit on the maximum total cost of borrowing for payday loan agreements in regulation based on the solid advice and recommendations of an expert board. It is necessary to establish an effective total cost of borrowing that both protects consumers and provides them with access to credit from legitimate operators, as opposed to the alternative: going underground.

Let me conclude by reiterating what the minister said earlier. The passage of Bill 48 would give us the strongest payday lending rules in Canada. I, too, want to thank the Standing Committee on General Government and those who came before the committee. Their advice on how to improve and advance this important piece of public policy was invaluable and much appreciated. I also congratulate the many members of staff who have worked long and tirelessly on this bill. I take this opportunity to also thank them in advance for the dedication that will be required in drafting regulations.

This government wants to modernize and regulate the payday lending industry and increase public confidence. We want to better protect those Ontarians who, from time to time, rely on payday loans. We want to create a level

playing field in the payday lending industry that protects both consumers and investors. I hope that all members in the Legislature share this view. Fellow colleagues, with your support we look forward to the passage of the Payday Loans Act, 2008.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Norm Miller:** It's my pleasure to add some comments on the speech made by the Minister of Government and Consumer Services and the member from Mississauga South on Bill 48, which is An Act to regulate payday loans and to make consequential amendments to other Acts.

I think all parties agree that it's time that this industry have some rules to protect the borrowers taking advantage of payday loans. Certainly, as the minister pointed out, in the last 15 years we've seen a proliferation of the number of these businesses set up in towns and cities around the province of Ontario. It's those who can least afford to borrow money from these payday loan operations that are being taken advantage of, in many cases, so it's important that this bill limit the maximum borrowing costs.

I guess the question I would have is: What is the maximum interest rate going to be? What is the maximum total cost of borrowing going to be? As I understand it, it's going to be some panel that's going to make a recommendation. But that is obviously pretty important. I think all parties support this bill, and we look forward to the government getting on with it, to getting on with the job.

There are some questions about the new bureaucracy they might be creating with the Ontario Payday Lending Education Fund Corp. and what that means exactly. I think I'd just concentrate on improving the business and general education and hopefully not creating another new bureaucracy, because I think we have enough bureaucracy in the province of Ontario.

**Ms. Cheri DiNovo:** It's going to be a delight to give the lead address on this bill. I love to speak about loan sharks and I delight in speaking about usurers. It reminds of my former profession as a United Church minister, one that I share with Minister McMeekin across the aisle. So that's what I'll be doing. Hopefully I'll be giving voice to those who were voiceless at the deputations. The ones who did not come before the deputation committee to give their witness were the ones who actually are the victims of the loan sharks and the usurers. So I hope to give them voice.

We heard from those who work with them. We heard from ACORN, Parkdale legal, United Way and Justice Matters. We heard from all of those groups that work with those who did not have a voice. They certainly gave them voice, and I hope to amplify that voice in this House.

Make no mistake about it: What we're speaking about is an illegal activity that is going on right now in our municipalities, on just about every corner. Why do I call it illegal? Because it is. Under the Criminal Code of Canada, anybody who charges more than 60% interest is



a loan shark, is a usurer, is in contradistinction to the law of the country of Canada. That's what these folk do. They look legitimate, but they're not legitimate.

This bill is a very small first step towards legitimizing something. Our concern in the New Democratic Party is what is legitimated: Would the final regulations that go forward be something that's going to be south of the 60% mark; that is to say, something that is not usury and that is not loan-sharking?

I will take great pleasure, as I did on committee, in speaking at length about this.

**Mr. Mario Sergio:** I'm delighted to join my voice, even if briefly, with respect to the approval, hopefully soon, of Bill 48. I have to laud and praise Minister Ted McMeekin and his PA for Mississauga South for doing the consultative process on this particular piece of legislation. I hear that there is wide support in the House. I think the question is not if this will be approved, if it will pass through this House; it's a question of how soon we can make it happen.

I remember that in 2003-04, when we still had in those days the consumer and business services ministry, we initiated this process, because the government understood at the time that there was a huge need; there was a void. We had a very unregulated market which was taking advantage of consumers in general.

I'm pleased to see today that we are finally there. We are doing third reading and hopefully will approve legislation as soon as possible. I think the market is not only ready, but I think it is important that we move into this area and provide the necessary legislation, with the necessary regulation, to provide protection for our consumers. It doesn't affect a particular area; it affects our general area. I think it's time that we indeed recognized that this is an industry that needs to be regulated by legislation and not let run as it did, without any protection for the last few years.

I've heard both the minister and the member for Mississauga South as to some of the regulations that we look to impose. It's not only the protection that we provide within Bill 48, but also some of the consequences for those irresponsible who keep on abusing our consumers. I hope that it passes soon.

**Mrs. Christine Elliott:** I'm pleased to add a few comments with respect to Bill 48, the Payday Loans Act. It is time that the government did address this issue. This is a situation that has gotten seriously out of hand in the last couple of years. I can even comment, in my riding of Whitby-Oshawa, on the number of new payday loan operations that are opening up at an ever-increasing rate. So I think it is something that we do need to have regulated for the purpose of protecting the vulnerable clients who use them most often. I think that even the legitimate payday loan operators are in support of this. They want to be regulated so that the bad apples out there don't diminish the work that they're trying to do on a legitimate basis.

We do support this kind of legislation, but as far as the official opposition is concerned, we do have some

concerns with respect to the Ontario payday lending education fund. We are concerned about how effective it's going to be in terms of teaching financial literacy to those people who need some assistance with this. We see so many consumers who are getting caught up in cyclical debt. They have to go from payday loan to payday loan in order to survive and often have to carry that debt into other periods of time, thus building up more and more debt as time goes on.

There is really a great need for greater consumer education in this area. I'm not sure that this fund, as it's set up, is going to be able to do that. I could speak to the fact that the Canadian Bankers Association, for example, has an excellent student program. They will actually come to the high schools and teach finance and commerce courses that they have in high schools to teach our young people about how to budget and set up household funds and to live within their means.

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**Mr. Peter Kormos:** Teach them about 40-year mortgages.

**Mrs. Christine Elliott:** As the member from Welland mentioned, talking about not getting into 40-year amortizations on mortgage loans and so on, it seems like a good thing at the time, but we need to learn to live within our means.

**The Acting Speaker (Ms. Andrea Horwath):** Response?

**Hon. Ted McMeekin:** I want to thank the member from Parry-Sound Muskoka, the member from Parkdale-High Park, my colleague from York West, and the member for Whitby-Oshawa for her comments.

Let me just say in response that I believe it's not our role to employ or to destroy the payday lending industry; it's our role to regulate the industry and make sure it operates well. We would have preferred, frankly, had the federal government gotten involved and taken its responsibility to define a formula right across the country, but unfortunately that didn't happen. So we're working with our provincial counterparts to try as best we can to avoid the evolution of a patchwork quilt of requirements, and note that a couple of provinces have been moving, like us, in the direction of aggressively protecting consumers.

We have a lot of optimism and confidence in the expert panel getting the kind of input that the general government standing committee got and shaping recommendations around the total cost of borrowing. We continue to believe that an informed and educated consumer is a smart consumer, and any time we can do anything of significance to enhance the consumer literacy of the people of Ontario, that obviously stands us all in better stead.

I agree with the couple of members opposite who say that it's time to get on with it, so let's do it.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Ms. Lisa MacLeod:** I appreciate joining the debate today on behalf of the official opposition as the critic for government and consumer services.



I want to start off, however, by congratulating my colleague from Carleton-Mississippi Mills for his 31st anniversary in this place. Mr. Sterling and I both represent a very wonderful part of the city of Ottawa, the old Carleton county. I know in many of his terms he actually represented many of the folks that I now represent. On behalf of them, I would like to thank him for the many great years of service he's given, not only to Carleton county but to the new city of Ottawa. So thank you very much, Norm.

*Applause.*

**Ms. Lisa MacLeod:** I don't think he ever expected there would be so many Liberals applauding him over his 31-year career, but that's wonderful. He's a fine fellow.

It comes as no surprise that the official opposition will be supporting this legislation; we said so from the beginning. In fact, our criticisms of the bill were to improve it. I will outline them today, because I still think there is room for improvement on this piece of legislation. Having said that, the Conservative Party, in the form of the official opposition here today, will vote in favour of this legislation. It is because there has been a demonstrated niche, for whatever reason, in this country for payday loans.

I will touch briefly on the fact that I believe that we need greater consumer protections in this province. The last time we saw far-reaching consumer protections in this province was in 2002, when the member for Niagara West-Glanbrook was the minister of consumer protection. In fact, under the former Progressive Conservative government, there was actually a ministry dedicated to protecting consumers. The Liberal government eliminated the consumer and business services ministry and put the consumer protection responsibilities under the Ministry of Government Services.

When you look at some of the issues that we face as part of this legislation—or that we faced even last week under Tony Ruprecht's bill for protection against identity theft—these issues haven't been addressed. Instead, this piece of legislation is couched under “addressing poverty,” but we all in this Legislature know that just putting caps or lending rates in place is not going to actually get at the root cause of poverty. This should have been a consumer protection bill; it should have been a fiscal or an economic bill. It should have dealt with the cycle of debt that people in Ontario get into, and it should have been firmly entrenched in the mandate of this legislation to protect consumers. I think that's where I have an issue. One of my colleagues just minutes ago asked me if this bill dealt at all with credit cards. No, it does not. It also does not deal with Internet payday loans. These are some of the key issues that we need to deal with. They have not been dealt with in this legislation, although I will say we will vote for it because it is a start.

When we were discussing the payday loan industry during second reading, I thought it was helpful to bring forward some research that I had done with the Library of Parliament, because I wanted to know a little bit more about the payday loan industry in this country and how it

developed. It is easy at first blush to say this is usurious, this is criminal activity, but then you have to actually look back at why it developed. Through the Library of Parliament, I read a great dissertation by Andrew Kitching of the Law and Government Division and Sheena Starky of the Economics Division of the Library of Parliament. I think everyone here would agree that Canada's foremost research bureau is the Library of Parliament. I had a great opportunity when I was working on Parliament Hill to get research from them. They do wonderful and thoughtful things.

They did a paper entitled Payday Loan Companies in Canada: Determining the Public Interest. The objective and impartial findings of this research team concluded, “The payday loan industry presents an interesting situation for policy makers, where both the public interest and the best course of action are somewhat unclear.” I think we struggled with that during committee hearings. They added an interesting observation in their conclusion: “Criminal prosecution, however, could eliminate the payday loan industry and, in the absence of increased servicing by traditional lenders,” such as the banks, “leave some consumers without access to the credit or convenience they desire.” I think that through the dissertation—I do have this paper available here if any of my colleagues would like to see it—it became very clear that there is a point in this debate where we have to consider access to credit and the convenience that consumers desire. I think that's why this piece of legislation missed the boat when it was decided it was going to be a poverty bill rather than a consumer protection bill, because, again, it doesn't deal with the root problems of poverty, which we all see, regardless of our constituency, in this great province.

That's an important point and it means that the debate on payday loans is actually about choice. It is there by demand. It is there for free, willing and able-thinking people in Ontario. As a credit counselling society once said, “We believe that consumers are better served in a healthy and competitive marketplace instead of a marketplace with fewer providers.” That's why I'm happy that the minister has acknowledged that we're not trying to employ, but we're also not trying to put out of business, payday lenders, because, quite honestly, who we should be trying to put out of business are the dubious lenders out there, the people we have no control over, the people who are not operating in the light of day. We have no idea what they're doing and we certainly don't want to push vulnerable citizens into their hands.

I think that's where my struggle began when I was researching this piece of legislation. I think it's so important that we all support regulating the industry so that we do get those scammers out of the payday loan industry.

Bob Whitelaw, who was one of our deputants during the committee hearings, said there were 750 payday loan operators in Ontario offering small, short-term loans as an advance before an individual receives a paycheque, pension cheque, employment insurance payments or



social assistance payments based on direct deposit. He acknowledged that the industry was growing and that one major company recently announced a strategic change to open a store in every community with a population of 7,500 rather than the current base of 40,000 or more. I think that's why, in communities right across this country, you're seeing more, more and more of these groups of stores.

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He asks, "Why do Canadians use payday loans rather than traditional credit products, such as lines of credit, overdraft protection and access ... on credit cards?" He makes the point that I think we're all trying to get at: "Simply put, there is no financial institution today that will provide small, convenient short-term loans, that type of product that responds to the increasing consumer acceptance and use of payday loans, except for the payday business."

When you further delve into that—it's something that the Library of Parliament also pointed to—people are using these more and more for convenience. I think that's why, more and more, we have to make sure that there are rules regulating the system so that only the people who are going to play by the rules are in the game. I think that's a very valid point.

As I move forward in terms of talking about some of the ongoing research, Environics clearly indicated in its recent poll that an increasing number of Canadians are living from paycheque to paycheque. I think that also speaks to the fact that we're in a cycle of debt. We're a credit card economy. A credit card economy means that there is a deeper root to that problem than just payday loans. I think it warrants a greater look by the minister and perhaps this finance minister as to why people are living from paycheque to paycheque in this province. Environics confirmed that more than one third of Canadians are living paycheque to paycheque, as they indicate that they are in some financial jeopardy if their pay is held back two or three days. Bob Whitelaw says that that's 33% of Canadians. I think we ought to be concerned by that.

I just would like to talk very briefly about some of the criticisms I do have of the bill, even as it stands. I believe that the bill has gone to a certain length. I think there were places where we could have improved the legislation. I think that, first and foremost, it's educating people about their own financial state. We need to be talking more about fiscal literacy, and I don't believe that it's been adequately addressed in this piece of legislation. Again, I think it strikes the fact that we're not talking about consumer protection here; we're not talking about the fact that there is a broad spectrum of people in this province using payday loans for various reasons and that we need to make sure they are doing what they should be doing.

I'll just go to Chris Robinson, who appeared before committee. He said that the payday lending education fund is "a waste of time and money." I'll continue to read: "The problem of lack of financial capacity or

financial literacy is much broader than payday lending. The social problems that provide ready demand for payday loans, even at very high rates, are much deeper and more fundamental than a lack of understanding of payday lending. If we wish to reduce the harm from payday loans by education, we need to provide consumer financial education to cover all three areas of concern. An understanding of payday loans and avoidance or minimization of them would be a natural consequence for anyone who has the broader education."

My colleague from Whitby-Oshawa had indicated earlier that that is a concern of ours in the piece of legislation. We drew the comparison in the party that the Canadian Bankers Association is teaching younger Ontarians. One of the resolutions that I had actually put forward on this legislation was to encourage students in high schools to start learning more about their own fiscal literacy. Unfortunately, that was defeated by the Liberals.

I think that until we're ready to delve more deeply into the root causes of why people are actually going to payday loans—and that is poverty, but it's also that we've got a new generation of a credit card economy. People, when they want something, go and get it. It's not like the good old days when people used to save their pennies.

I remember, when I was a kid, saving my money for a trip. I used to put it into one of those big water bottles. In fact, that's what I'm starting to do with my own little girl right now. We go home and we have a little fund for her. We're trying to teach her fiscal responsibility, but my gosh, it's not happening anymore. We're going to have to start talking about those sorts of issues, and that's why I will always advocate for fiscal literacy courses at the high school level.

*Interjection.*

**Ms. Lisa MacLeod:** Well, my daughter's three, so I'd better not give her much more of an allowance. I'll be in the broke house before she's 31, before she's here as long as Norm's been in the Legislature.

Further, I just want to go on to another issue that I have with the piece of legislation, which is that caisses populaires and credit unions are still included in this legislation, despite being part of another regulatory framework through the Minister of Finance. So now we're going to doubly regulate credit unions and caisses populaires. I'm not sure how good that's going to be for business. Credit Union Central of Ontario provided me with some notes. I know they have written to the minister and have asked that credit unions and caisses populaires be specifically exempt from Bill 48.

When I put that resolution forward, it was defeated by the Liberals, of course, but I'd like to just point out some of the things they have written:

"Section 3 of the act states, 'This act does not apply to persons, entities or payday loans or classes of persons, entities or payday loans that are prescribed.'

"Currently, credit unions are exempt from the provisions of the Consumer Protection Act, including the provisions of the regulations thereunder dealing with



payday loans. Compliance with that statute is enforced by the Ministry of Government and Consumer Services.

"The credit union system is concerned about the possibility of having two different ministries regulating different but related aspects of its business.

"We are of the view that it would be more efficient from the government's and taxpayer's point of view to have DICO and/or FSCO carry out all regulatory functions with respect to the operations of credit unions, rather than to assign this small part of its business to a different ministry.

"If credit unions will not receive an absolute exemption from the operation of the bill, then we are of the view that it would be preferable to add parallel provisions dealing with potential 'payday lending' by credit unions to the anticipated draft general regulations under the Credit Unions and Caisses Populaires Act (which haven't been released yet—but the new act passed in the 2007 budget bill), and amend the bill to deem compliance by credit unions with their own legislative and regulatory requirements with respect to payday lending to be in compliance with the provisions of the bill."

They conclude: "We feel the government, taxpayers and the credit union system are better off exempting credit unions from Bill 48, and provide parallel provisions to regulate potential payday lending by credit unions under our own regulatory regime."

I couldn't agree more, but this government has found, at every opportunity, a way to increase the regulatory burden on businesses right across this province. That disappoints me.

I'd like to go on further. I just want to talk briefly about the regulations, because this bill is going to be dealt with mainly by regulations. In fact, if we talk about the expert panel—the expert panel, I might add, that didn't include Chris Robinson or Bob Whitelaw, two of the foremost thinkers on payday loans—much of it is designated by regulation. I think that's what's concerning. Whether you're looking at the Ontario payday loan corporation, whether you're looking at the expert panel, a lot of this is left to the discretion of the minister, and in the interests of accountability, it ought not to be. It ought to have been dealt with in this piece of legislation, which it wasn't.

In fact, when you look at the Credit Unions and Caisses Populaires Act, that is now going to rely on more regulations at the minister's discretion. I might add, too, in terms of the 2002 all-encompassing piece of legislation I mentioned that the Progressive Conservative government brought in under the member for Niagara West—Glanbrook, many of the regulations have not been met yet. Whether it's the bereavement sector or the racing sector or whether it's used cars, this government has been slow to respond. I think that is a real concern when you're looking at the legislation before us right now. A lot of what we're going to see in terms of how this sector will be managed will be dealt with in regulations, will not be debated on the floor of this Legislature. I think that is very concerning to Ontarians.

I mentioned the expert panel and my concerns there. I think the final concern I have is that there is no Internet payday loan protection. I think that was something Bob Whitelaw succinctly pointed out during the debate. He said, "Bill 48 is silent on how to acknowledge and respond, through legislation and compliance, to the growth in Internet payday loan firms. My research, and I've shared this with the Senate," of Canada, I presume, "shows that there are 1,200 or more existing online payday firms."

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How can you offer consumer protection in this province against payday loans when anybody with a computer can now go ahead and get one? You're not regulating that and protecting consumers against Internet payday loans. You're either going to do this well, or you're not going to do it right. I think by ignoring the fact that we need it—and it was a resolution of mine, supported by my colleague in the third party, that was defeated yet again by the Liberals. I think that in the true interest of consumer protection, if we are prepared to regulate payday loan operators on the streets of this city of Toronto, the streets of my city of Ottawa and the streets of your city of Hamilton, then we'd better be regulating the folks right across this province and in other countries who are offering the same. In the interest of consumer protection, that is the right thing to do.

Bob Whitelaw continues: "A Web-based application form is all that's required. Considerable personal and bank account information is filled out online and then the payday loan is transferred into your account, and a few days later the funds are withdrawn to repay the loan. These payday Internet firms do not exist only in Canada, but throughout the United States and internationally. There are issues on personal identification, privacy etc. When I mention these Internet groups to the credit unions and banks, they are less than thrilled to know that their customers and clients are providing a tremendous amount of personal information online."

I think that when you look at the context of what Bob Whitelaw is saying to the committee, and now through my words into this chamber, he's got a really valid concern. I think it goes back to the Tony Ruprecht bill of last week talking about identity theft. When you're putting that much personal information on the Web—

**Mrs. Christine Elliott:** It's dangerous.

**Ms. Lisa MacLeod:** My colleague says that it's dangerous, especially for this type of money and this type of product. We had an opportunity, through clause-by-clause, to address that issue. The Liberals chose not to. As a result, I have real concerns that we are not adequately protecting Ontario's consumers.

I think that also means that we do need to bring forward more sweeping consumer protection changes throughout the province of Ontario. I think we need to deal with identity theft. I don't think it's new; I think that this has been a real concern. I look to my colleague Tony Ruprecht in bringing his bill forward four times. He's a former minister of the crown in the Liberal government,



and he has had to bring this piece of legislation four times.

**Mr. Peter Kormos:** And a good minister, a darned good minister.

**Ms. Lisa MacLeod:** My colleague from Welland says that he was a good minister, so there you have it.

**Mr. Peter Kormos:** And how does his caucus treat him?

**Ms. Lisa MacLeod:** Well, they let him put in a bill. My colleague asks, "Why does his caucus treat him the way they do?" I don't know. It's interesting to note that the four times he's brought in this piece of legislation on identity theft and protecting people's credit scores, he was in government. Actually, this is the interesting part of that piece of legislation we debated last week: It was first brought in by Joe Cordiano, who's a former minister of the crown over there. It passed last week, but we're not going to see any protections there.

We have the minister before us right now, and if he were for the interests of greater consumer protection, he would consider dealing with Internet payday loans, he would deal with Internet fraud, he would deal with credit scores, and he would put forward a piece of legislation like no other in this country to protect Ontario's consumers. I think that is why we're all concerned, because we're not seeing that.

We're regulating an industry right now where there is a group called the Canadian Payday Loan Association, or CPLA. They have a certain code of conduct and best business practices. I know that many of the members here are very familiar with Stan Keyes, who's the president. He may not be of the same political persuasion as me, but I certainly respect him as a former federal Minister of Revenue. And he had a lot of colleagues that I know.

**Mr. Peter Kormos:** He didn't have to be a Liberal.

**Ms. Lisa MacLeod:** He didn't have to be a Liberal; no one does. Unfortunately, it happens.

*Interjection.*

**Ms. Lisa MacLeod:** I'm not sure about that, but I will say this: They've hired this organization, the CPLA—and this is where I think you have to make a distinction, and the struggle that I had is that you've lumped everybody in with the same. When you look at a group like the Canadian Payday Loan Association, they have their own ombudsman, who actually investigates what's going on out in the field. They have a guy named Sidney Peckford. He lives in Ottawa, in my community—I think he was born in Newfoundland—so of course he is quite a guy. He was talking briefly about the code of business practices that they employ and that he is responsible for enforcing, which they adopted back in 2004. It has 18 sections designed to protect consumers.

Essentially, that's what we're adopting here today, and I think we could have gone one step further, because it really isn't the organizations that belong to CPLA that we're trying to get at. We're trying to get at the pawn shops; we're trying to get at the folks who are charging usurious rates and who go unnoticed, who don't have a

storefront; we're trying to get at the people who are actually engaging in criminal activity—not the folks who are trying to provide a niche in the marketplace. As we learned from the Library of Parliament, there is a need in this country—not that we agree with it or anything, but there is—and it's really about providing a service that people believe is needed there.

As of 2004, for example, the Library of Parliament says that "there were an estimated 1,200 payday loan stores in Canada, although the industry is growing rapidly and there is no easy or official means of tallying the participants.

"Moreover, no authoritative information is available on industry revenues or profits." One study does suggest, however, that companies may use the broker and insurance models to minimize their risk of being charged with exceeding the criminal rates in Canada.

Before I conclude, because I have a few more minutes left on the clock and I know that, because I generally agree and I did get my points of contention out, I do want to go right back to the identity theft bill, which I believe should have been debated in full as a government bill. I don't think it should have been brought in here as a private member's piece of legislation, and I can't believe that we were duped last week. The government came in here to try and dupe us.

**Mr. Peter Kormos:** That's powerful language.

**Ms. Lisa MacLeod:** Well, they came in here last week to try and tell us that they were doing something on consumer protection, and they chose not to. I might also add that I think there is a determination for change in the community. I think that when you're looking at a credit card economy and people are taking out credit cards in other people's names and we're looking at identity theft, that's a very serious issue that must be addressed.

In conclusion, I would just like to say that I support this bill. The official opposition will be supportive of this piece of legislation. I did lay out the issues of contention to us, such as fiscal literacy, which we're not doing enough about in this province and which I will continue to press on. I do believe that the caisses populaires and the credit unions should have been exempt from this piece of legislation just purely because they are already part of a regulatory framework with the finance minister.

I think that too much is in the regulations, and that is a scary thing when we're dealing with a piece of legislation designed to protect consumers and for these folks over here, designed to eliminate poverty. This bill, in their view, is to eliminate poverty, which I do not think, for one minute, it ever will. I think that it should have been a consumer protection piece of legislation.

I also believe that the expert panel is one that we'll have to watch—we'll have to see. The minister is able to reject the recommendations or not. The second thing is that, of course, we know that Mr. Chris Robinson was not included as an interviewee for this particular panel, and he is one of the foremost thinkers on this issue. And, of course, there's no mention of Internet payday loans. I



don't know how you can have a consumer protection bill when you effectively eliminate one piece of the pie.

There we have it: There's what the official opposition believes. We will support this legislation, but we will continue to make sure that there are greater consumer protections in this province, and we will stand up for them here in this chamber and outside this chamber so that issues like identity theft, Internet payday loan scamming and other key issues that are very important to our constituents will be addressed.

Thank you, Madam Speaker, and I look forward to the debate.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Mr. Peter Kormos:** I, for one, want to thank and applaud the member for Nepean–Carleton for her thorough, thoughtful and astute analysis of this legislation, and the capable way in which she pointed out its shortcomings—shortcomings that could have been addressed had the Liberal majority on the committee bothered to pay attention and listen to the input by Ms. MacLeod on behalf of the Conservatives and Ms. DiNovo on behalf of the New Democratic Party.

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Like so many others, I'm shocked that the government has persisted in bringing caisses populaires and credit unions into yet another regulatory regime that wasn't designed for them. These are co-operatives. These are run by boards of volunteers. They're the real backbone of the Ontario financial industry when it comes to small-town Ontario, rural Ontario. So I say to the minister, you'll have an opportunity in one minute to get on your feet and respond to the charge that you've been delinquent in not excluding credit unions and caisses populaires from the regulatory regime designed for payday lenders—your bill legitimizing mobsters and loan sharks.

In a few moments time, we're going to hear from Cheri DiNovo, the member for Parkdale–High Park. She's the NDP critic on this matter. I know that folks who are watching will bear with us for a few more minutes till Cheri DiNovo gets on her feet to discuss this bill. She, of course, has spearheaded the movement for regulation of payday lending here in the province of Ontario. We should be very grateful to her. All of this assembly should be.

If Ms. DiNovo sees fit to let me share some of her time, I may have the opportunity to speak to this bill myself for but a few minutes this afternoon. I would beg your indulgence in staying with us to allow me to talk to you about my views on this piece of legislation.

**Mr. Norman W. Sterling:** I'd like to thank the member for Nepean–Carleton for noting that it was 31 years ago today that I was first elected to the Legislative Assembly. I do want every member of this Legislature to know that although Mr. Bradley was elected the same day, I think I was sworn in before he was.

*Interjection.*

**Mr. Norman W. Sterling:** I don't know. I'm just saying that in jest.

But over the years that I have been here, and in a very historical context, I really believe that it is time for legislation like this to come to the floor of the Legislature. I'm glad to see all three parties supporting this legislation.

I'd like to give due regard to a friend of mine who is a former Liberal member from the now east end of Ottawa, Gilles Morin, who brought forward many private member's bills dealing with this particular subject matter. I do not know whether this bill is the same as that brought forward by Mr. Morin, but the thrust of the effort is the same as Gilles brought forward. So to one of my former colleagues—who probably is not watching, but perhaps I'll send him a copy of this Hansard—I'd like to congratulate him on keeping a focus on the issue for a long period of time. I think he used up two, three or maybe even four of his private member's slots in order to bring this issue to the floor of the Legislature. He was unsuccessful in passing them, but all good things come to an end.

**Mr. Charles Sousa:** I appreciate the comments from the members for Nepean–Carleton and Welland and the member from Carleton–Mississippi Mills. And congratulations on your tenure.

In regard to credit unions, let's address that now. Credit unions are legislated under the Ministry of Finance. They've requested parallel legislation and they've agreed to the terms and conditions as set out by Bill 48. At this point, the bill is there to protect consumers regardless of who's providing the services. Until such time as that's determined, we can possibly transfer it over. The minister has the power of exemption to do just that, but we want to continue to protect consumers in the meantime. So credit unions have that ability for exemption during the transition.

Another great point of interest was the whole notion of the bill being part of the poverty agenda, the education agenda and a fiscal matter. In fact, it is all three. I think it's important for us to address them and put this forward, regardless of where it is that it should be put. I think it's high time that we move forward.

The issue of Internet payday lending: It's a federal matter in terms of legislation. There is no jurisdiction to enable us to act on and enforce that legislation. What we have, however, is a bill that protects consumers regardless of whether it's a storefront or an Internet procedure. We have the ability to enforce it as it stands in terms of practice. I'd just bring that forward for the purposes of Hansard.

**Mr. Jerry J. Ouellette:** I look forward to commenting on Bill 48. I hope I get an opportunity to have the minister or the PA respond to some of it.

First of all, when we talk about the federal government having jurisdiction over it, it's the same as the sex offender registry: The feds have one and we have one. Ours is more powerful than theirs, and we can set a precedent by which the feds will follow our lead.

There are two areas in which I have concern. Hopefully, this will open the door with regard to credit cards



and what takes place with credit cards. The variable rate changes that happen without notification, the increasing of credit without notification of individuals, or the actual interest charges on credit cards—those are very substantial, and hopefully this will address and move forward on that.

But the area that I am hoping the minister or the PA will be able to enlighten us on is the actual impact on tax refund players. There are a number of significant individuals or organizations that will do taxes and offer refunds immediately, and there's the same mindset as with the payday loans individuals, whereby an individual comes in, and the documentation says it becomes somewhat addictive. What's going to happen with those individuals who get an immediate refund, paying high interest rates on tax refunds? Hopefully, some of this legislation will address it. When you read the legislation, it kind of covers it, but doesn't specifically lay out any groundwork that opens that door. I'm hoping I'm not going to hear it's something of a federal responsibility; I think we should be leading by example again, as we have in other cases.

These might be two areas that we can move forward on: credit cards and making sure the consumer is protected, as well as potentially tax refunds and what happens in that situation.

**The Acting Speaker (Ms. Andrea Horwath):** Response?

**Ms. Lisa MacLeod:** I want to congratulate my colleagues for getting involved in the debate. I want to thank my colleagues from Oshawa, Carleton-Mississippi Mills and Welland, and the parliamentary assistant. I appreciate their comments, but I would just like to reiterate the fact that I do think this bill falls short of our fiscal literacy goals in this province.

I think if the minister wanted, at his discretion, to exempt caisses populaires and credit unions, he would have done it in the bill.

I believe that a lot of this is dealt with by regulation, and my colleague from Oshawa makes a good point: Why not be leaders in dealing with Internet payday lending and not wait for the federal government? The federal government, after all, did delegate responsibility to the provinces to deal with payday loans. Regardless of what we may feel, that is the case, and as realists I think that's where we have to be. So as realists in this place, we must acknowledge that there are Internet payday lending firms throughout the world that are preying on our consumers.

Therefore, I believe we would have been far more prudent in dealing with a bill designed for consumer protection, a bill that would have dealt with the cycle of credit card abuse in this province and a bill that would have acknowledged that fiscal literacy rates in this province need to be improved, and we should be doing much more than the Ontario Payday Lending Corp. That doesn't mean that I even believe the Ontario Payday Lending Corp. will actually reach the people who need it the most.

As I am out of time, I thank all members for their spirited debate, and I reiterate that the Conservative Party will be supporting this piece of legislation. We believe it's long overdue, but there could have been a few more improvements.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Ms. Cheri DiNovo:** I thank my colleague from Nepean-Carleton. She made some excellent points. Really, those who I want to address are the people who are watching at home.

I am going to share my time with the member from Welland. I actually owe the member from Welland a congratulatory nod, because the member from Welland brought in a payday lending bill before the one I brought in, before the one that Minister McMeekin brought in. His, however, was like mine: It had some teeth to it. It had a hard cap, and the hard cap we shared was the hard cap that Quebec has as law, which is 35%. I'll talk about that in a little while, because truly, in this particular bill, the devil is in the details. We're waiting on the regulation. The regulation really will be the bill because what this bill needs is a hard cap, and until and unless it has a hard cap, there really isn't any step forward. This is simply the door opening; nobody has yet walked through.

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For those who are listening and watching at home, what we are speaking about here is a very straightforward financial product. I described it as loan sharking and usury, and that's what it is. That is what it is. The federal Criminal Code has defined usury in this country, and that is 60% interest or more. Those who are watching at home are saying, "Sixty per cent interest?" You'd have to be financially illiterate if you were middle class, had some means and had a credit card that charged you more than 30% interest. In fact, you could now go to your bank and get prime plus, which is round 4%. So if you have means in this country, you can get the cheapest financial loan possible. Here's the injustice: If you don't have means, if you are the poorest people in the province of Ontario, you will pay the highest rate of interest. If you go to a payday lender—that is, a usurer or a loan shark—you will pay more than 60%. Hence it is illegal, as defined by the Criminal Code. The fact is, the illegality of this product is not enforced. That's what we're dealing with. We're dealing with one little step toward enforcing what should have been enforced from the beginning. You know, this is proven in the courts over and over.

One of the wonderful deputants who came and spoke—and spoke, really, in the interests of those who are victimized by payday lenders—was Justice Matters. This paralegal organization makes their living by defending the victims of payday lenders, and they defend them on the basis of the Criminal Code. They take the payday lenders, including the big ones—Money Mart and the others—to court. In fact, there is a class action suit against Money Mart as we speak. They take them to court and they win every time. They win the interest they paid, the fees—all illegal—that they paid. But of course,



the problem here is that the victims of payday lenders, the victims of this illegal, unregulated trade, usually don't know the law, and they usually don't have the time and the money to hire a lawyer to press for what is justifiably theirs. That's the situation we start from.

If you're interested in how much interest the payday lenders charge, let me tell you about a Star editorial a little while back. You suspect the hand of the Atkinson foundation behind the best of the Toronto Star. It did a whole series on payday lenders and a whole series on their victims. Here's one: Kim Elliott. She first borrowed \$250 from a payday lender after her partner lost his job. She had no idea that the couple would entangle themselves in an escalating series of loans that would ultimately cost them \$20,000 in interest and fees in less than three years. Carol Goar wrote a very insightful column, the title of which was, "1,000% Interest 1,000% Wrong."

When you go to a payday lender, you will pay between 300% and 1,000% interest. Now, I ask those who are watching at home if they think that's fair. It's certainly illegal; it's certainly unjust; certainly it screams out for regulation. It actually screams out for the RCMP to kick their foot through the door and arrest them. That's what it screams out for. Why, one might ask, has this not happened? Why has the Criminal Code not been enforced in this particular instance for this particular industry that has sprung up? As my colleague said, and she said it well, of course this whole industry is overshadowed by the greater problem of poverty. The reason people are driven to payday lenders is because they have run out of options. It's because they don't have options.

One of the deputants produced a series of polls done which were very suspect. It was a polling company bought and paid for by the payday lending association. A better source of information on who uses payday lenders is Statistics Canada. They said, and this was about a year ago, that families with \$500 or less in the bank were 2.6 times more likely to have used payday loans than those with between \$2,000 and \$8,000. Short-term loans require no credit check and typically dole out amounts of about \$100 to \$1,500. Families who have been refused a credit card are more than three times as likely to have had a payday loan than those who had been granted a card, the report said. Almost half of the families that used them had spending that outstripped their incomes. And really, we're talking about 3% of Canadians who use payday lenders, so we are talking about those who don't have options.

I've told this story before in the House, but I remember going out campaigning at a Toronto community housing development where the average income was government cheques, and they were OW or ODSP; they were welfare cheques. Just before the cheques came out, a local payday lender put a door hanger on every single door. The door hanger said: "Free coffee and free doughnuts if you come down to our store. And by the way, you don't need a credit check, and we will give you, instantly, a cheque for what you need." I ask you, is that not usury? Is that not loan sharking?

You heard, "We want to deal with the more prestigious of the payday lenders," if you can apply that term to usurers and loan sharks—the larger ones, I presume, the ones like Money Mart, which we see more often on the corner than the other ones that are maybe one-offs or two-offs. But all of them do the same thing. They all of them charge between 300% and 1,000% interest—de facto interest, cost of borrowing, because of course they never call it interest; they call it default charges and rollover charges and everything else.

By the way, talking about rollovers, yes, this bill does say something about rollovers, but only within the same payday lender. What we have discovered with those who are forced to use payday lenders—and remember: They're not using them to buy an Hermès handbag; they're not using them to buy Dior shoes; they're using them to buy food for their children and pay their rent. That's what people go to payday lenders for. We discovered that if they can't get the loan from one payday lender, guess what they do? They walk down the street to the next payday lender. So even if you bring in something that prevents a rollover loan with one payday lender, it just means that you've rolled over the client to the next payday lender. That's all it means. That simply does nothing to prevent—licensing does nothing. That's a pretty little piece of paper that you hang on your wall that says, "I'm going to rip you off and the government says it's okay to do so." That's all a licence does.

What we really and desperately need, and what I've been given assurances that we will get by the time this House sits in September or October, is a hard cap on the total cost of borrowing. The question is, what will that hard cap be? I modelled my bill, with a 35% cap, on Quebec legislation. That is the strongest legislation in the country. I heard Minister McMeekin, who is a nice man, an honourable man, say that we will have the strongest payday legislation in the country. If it is, then it will have to be at least as strong as Quebec's, which is a 35% cap. That's the strongest in the country.

It was certainly interesting to be in the committee and to hear the deputants. I had serious concerns going into that committee; in fact, such serious concerns that I mirrored on behalf of our stakeholders that I did what I could to try to stall the bill going forward. I tried to slow it down. I tried to "speak out" the bill; in fact I think I spoke for 80 minutes out of about a four-hour session, and we took many 20-minute recesses. "Why?" you might ask. A few things. Number one: Some of our stakeholders were very concerned about this legislation. They were concerned that this might pre-empt the Criminal Code in a devious and nefarious way; that is to say, all of those paralegals and others who defend the victims of payday lenders, usurers and loan sharks? They are the ones that should be trusted, with any monies that come from this usurious industry, to be able to educate their own. So we're asking that if this education component goes forward into practice, it not be administered by the payday lending association but it be administered by those who are victims of payday lending.



Another aspect: I said to my husband, "If you ever wonder about where the power lies in the province of Ontario where fiscal products are concerned, you should have been in that committee room because," as I said at the outset, "in that committee room you did not see one victim of payday lenders, but you certainly did see a lot of payday lenders and bankers in that room." One could ask, "Why did the victims not come forward?"

There are a few very good reasons why the victims of usurers and loan sharks—the same thing as payday lenders—don't come forward. One is shame. Most people are ashamed that they are driven to payday lenders. Another very practical reason is that most people who are driven to payday lenders don't have computers. They're not checking on the Internet all the time to find out when government committees meet, and they don't read the *Globe*. They don't follow the goings-on of this Legislative Assembly. Many of them are working, sometimes one, sometimes two, sometimes more than two jobs.

I see them in my community. I see them drift in and shuffle out of payday lenders, heads bowed and covered. They're embarrassed. They are embarrassed about what they're doing. They know that there's something shameful about it. Unfortunately, what they don't know—and this is where the educational component is so important—is that the shame is not theirs; the shame should abide with those who are loan-sharking, who are usurious, with the payday lenders themselves. They are the ones that should be ashamed, not those who are desperate, who are walking in the door.

I can tell you that where they're set up in my community, it's almost always in the poorest of neighbourhoods. It's almost always where those with mental health and addiction problems are close to hand. Now I ask you, what kind of legitimate industry would give a payday loan to somebody with an OW or ODSP cheque who's clearly not of right mind? And I see many going in and out.

We actually did a little survey. There's a payday lender just outside of a drop-in centre, where everyone in the drop-in centre is on ODSP or OW. Almost everyone in the drop-in centre has a mental health issue, an addiction issue, or both. Those are the people who take their cheques right across the street—it's very handy; there are very few banks around in the poorer neighbourhoods—and cash their cheque. That's who uses payday lenders. And they should be ashamed, they should be very ashamed—not the people who use them, but the people who abuse them, should be ashamed.

The other aspect of payday lending, and what came to light in that room, is the presence of the banks, the presence of power behind the payday lending association and their many usurious, loan-sharking outlets. Who is invested in payday lending, one might ask? It's very clear—and ACORN has done some wonderful work on this—that the banks are invested in payday lenders. One has to ask: a usurious business that operates against the Criminal Code of Canada—why don't they shut them down? Why aren't the police called? The police aren't

called because—guess what?—the head of the Canadian Payday Loan Association is a former Liberal revenue minister. That's why the police aren't called.

Those invested in a payday lending institute and association and all of their outlets—Royal Bank, Toronto Dominion Bank, Scotiabank all have shares in payday lending. It's their dirty little secret. For many out there listening, who probably don't know that they're invested in payday lending, I would say: Check. If you have mutual funds, check them; make sure. If you have bank funds, make sure that your bank isn't one of the banks that is invested in payday-lending that. That's why the police aren't breaking in the door of Money Mart and arresting the operators. That's why they're not doing it, because there's vested power behind those doors.

It's tempting to do an analogy to payday lending; that is, if the Hells Angels set up shop on your corner and sold crack cocaine but called it an analgesic, everyone would be wondering, "Why is such an illegal operation happening out in the open, right on our corner?" It's an analogous situation. The only difference is, I guess the Hells Angels didn't contribute in the right places. They don't have power behind them—yet. Because it's very analogous. It is equally illegal and it's equally addictive.

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If you go in with your \$300 paycheque and you get \$150 out and it's due in two weeks, what are you going to pay it back with? You're still only going to have another \$300 paycheque in two weeks, and now you're going to owe \$150 on it. You're still in debt and your children still haven't eaten and you still haven't paid the rent. That's the cycle.

That's another amendment, in fact, that we recommended: that the term of the payday lending be longer than two weeks, because if it's only two weeks, you're constantly on this treadmill of ever-increasing debt, in a sense, no matter what the interest rate is, but certainly if the interest rate is 300% to 1,000%. We recommend it be at least 62 days, because at least with a month, you have a chance—just a chance—to get your head above water, just a chance to pay back some of what you borrowed. That was an amendment, of course, that got voted down.

Obviously, the amendment to put a hard cap right into this bill got voted down because the government felt more study was necessary. This is a government that loves to study; they love to consult. They love to study and consult. It's acting that frightens them. It's actually doing something that terrifies them.

But here, when you don't act, people suffer. Every day that there isn't a hard cap, every day that there isn't a regulation on payday lenders, somebody out there is suffering.

Two wonderful films I recommend are *Maxed Out* and *Debt Trap*—excellent films.

*Maxed Out* talks about college students who get credit cards. It doesn't even go into the payday lending sphere. Credit cards are dangled in front of college students who can't afford to pay, especially in the States, where their student loans are even higher than here, and we have



some of the highest in Canada right now; our students graduate with \$28,000 to \$35,000 in debt. Imagine giving someone like that a credit card. It's dangling something tempting and something addictive in front of them.

What happens? Typically, kids get into debt and can't pay it off. They have linked, in Maxed Out, suicides to young people who have been so in debt, who have gotten themselves so underwater, that they just can't get out. This is not just theoretical suffering; this is real and actual suffering.

In that film, a university professor is asked to come in and to look at the whole of the credit industry, particularly the credit card companies. She's asked to consult with them about how they can render their losses less, how they can have fewer poor loans and credit cards. She says, "Well, here's what you do. If you just eliminate the 15% at the bottom, the high-risk cases, you will eliminate 50% of your bad debt." One of the CEOs in this particular shot puts his hand up and says, "We'll also eliminate 50% of our profit," because it's the "churn 'em and burn 'em" that makes the money for the credit card companies, and it's certainly the churn 'em and burn 'em that makes the money for the payday lending associations.

Debt Trap is another interesting look at the Canadian equivalent. One young woman they talk to there has \$100,000 worth of debt just for student loans alone, doing her doctorate. They started to collect, and then she started into the vicious cycle that so many do. She couldn't pay off her student loan. She was a single mother with a little girl. She goes to a payday lender. Then of course they have her, because once in the door, once on that cycle, round and round and round she goes, and bankruptcy becomes the only option—bankruptcy.

Those who defend the victims, those paralegals out there and others who are taking the money lenders to court on behalf of the victims to get their money back for them, are very concerned that the regulations that come in, even by the time that the House sits again in the fall, if they are not 60% or below, will, de facto, decriminalize usury and will make usury legal. Now, that's pretty obvious, I would think, to members of this House. It's pretty clear-cut to anybody watching this that right now we have Criminal Code protection that says that 60% and above is usury. Even though all of these companies are operating in that grey area and nobody's regulating them, even though no RCMP is arresting any of the owners of any of the payday lenders as we speak, still there is that protection so that if you have a savvy lawyer, if you do get a class-action suit together, you can go after them. But if you bring in a hard cap that's over 60%, then, de facto, you have legalized usury; de facto, we're worse off than we are right now with no regulation whatsoever. This is a real fear for those who are preyed upon by payday lenders.

So I hold that out because I've received assurances that we will have better than Manitoba, that we will have an expert committee upon which a victims' advocate will sit, and I've received assurances that this will be done in due course and not in long course, which means: by the

time the House rises. I hope that that word is justified, that we see that. I also hope that when the hard cap does come in, it does not legalize usury but that it actually comes in below the 60% mark, because that's so critical.

A word also about enforcement: The minister set out the what-ifs—what if you don't comply? There are fines, but here's the problem with fines: If they are fly-by-night, if they are going out of business, if it's hard to track even the payday lenders down, how do you collect on behalf of the victims there? What Manitoba has done—and may I recommend this: Another amendment that we brought in that was shot down is to have a surety of some sort. If you're going to get your licence, if you're going to go into the business of being a payday lender and making micro-loans—and remember, we in the New Democratic Party have nothing against micro-loans; there should be outlets offering them—you should do it at a reasonable rate of interest, that's all, and we think 35% or under is reasonable. We think that's reasonable.

To those listening at home: If you're looking at your credit card statement and you're seeing "35%," you should get yourself another credit card. If you're looking at a 35% mortgage, you should get yourself another mortgage.

That's not unreasonable; we think you can make a profit at 35%. So we think that those firms that get licences should have surety. There should be some way of compensating the victims if they break the law, if they break the regulations—if they pass the regulations—or even if they break what is already stated in Bill 48. There should be some way of guaranteeing it. It's not a lot to ask that a firm that gets a licence also get surety. We ask it in all sorts of other industries; why not in this one, where the victims are so hard-pressed?

Professor Robinson was talking about the makeup of the expert panel, and he was one who absolutely is against payday lenders. Please. This is an ethical stance; an absolutely ethical stance. How could you be in favour of payday lenders as constituted now? They're usurers by definition of the Criminal Code of Canada. How could you be in favour of them? It's not about going underground. They don't have to go underground. They're aboveground, breaking the law. They absolutely meet every definition of a loan shark, except perhaps for the violence. The violence is to their souls, the souls of their victims, not to their bodies. It's to their souls. But it's still violence nonetheless. When you charge somebody 300% to 1,000% interest, you are doing that person violence. That's loan-sharking.

He applied to sit on the expert panel to determine the rates, "but the Public Appointments Secretariat has not judged me suitable for an interview." This is a man who's a professor of finance, Atkinson School of Administrative Studies, York University; a widely published expert on personal finance; wrote two reports on payday loans for Industry Canada in 2004 and 2005 and one report for the Association of Community Organizations for Reform Now—ACORN. "He appeared in 2007–08 as independent expert witness for the Manitoba Public



Interest Law Centre in the payday loan rate cap hearings in front of the Manitoba Public Utilities Board. The board adopted his recommendations almost entirely.”

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But he's not good enough for the expert committee. Neither is Bob Whitelaw, and I already outlined his background.

So again, one can't help but be a little suspicious about the experts on the expert committee. I wonder if Stan Keyes, former revenue minister for the Liberal Party and head of the Canadian Payday Loan Association, will be one of them. I hope not. I hope that this committee is struck with advocates of the victims and with true experts, impartial experts, experts like Bob Whitelaw or Professor Robinson who've seen both sides of this issue.

Bob Whitelaw is a classic expert—the first president of the Canadian Payday Loan Association. He had an epiphanous experience, a road-to-Damascus experience, and now helps to consult so that they will not continue their usurious practices. He now works with the credit union companies to try to develop a product that will—whoa—offer a loan at 28% interest. Sounds outrageous, doesn't it? But that's good news in this industry. Good news is 28%.

I'm going to leave some time for my colleague from Welland. But just to wrap up, sometimes one stands in this Legislature and is really in a state of awe at all the backbenchers who look so studiously at their desks, like bad students. It's like when we didn't do our homework at school and the teacher is standing at the front looking for somebody to answer, and they never meet their eye. You don't meet the teacher's eye, right?

As a United Church minister, I can tell guilt when I see it. It's the backbencher who won't meet your eye when you're talking about something like loan-sharking and usury, who knows that what you're saying is right, who knows that charging 300% to 1,000% interest to the poorest people in our communities is wrong. They know it's wrong. They also should know that it's illegal. Don't believe me; check your Criminal Code. They should know it's illegal and they should know it's ethically and morally wrong.

The only question that remains is: Why not do something about it? Unfortunately, Bill 48 doesn't do anything substantial about it. We in the New Democratic Party will support it because we support an inch forward. We would like a mile forward, we would like a yard forward, but we'll support an inch forward, as long as it's forward. This bill takes an inch forward. But really, we're running on trust on this side of the House.

There's another ethical stance: running on trust—trust that everyone, including ministers in this cabinet, can see how wrong it is to legalize usury so that any rate over 60% is morally and ethically wrong.

The regulations must come in as speedily and hastily as possible. They must. They have to. Why? Because, as we speak, hundreds are proliferating across the province. We have almost half of all of the payday lenders of Canada in this province.

As American jurisdictions bring in hard caps that are much lower than ours, one by one, like dominoes across the States, guess where their payday lenders, loan sharks and usurers will go. They'll come here, and they are. Many studies have shown that they are poised on the border just waiting, because it's legal to be a usurer here. It's legal, but it isn't anymore in most of the jurisdictions that I've outlined in the States.

So I appeal, really, to that core ethic, to that core humanity that I hope everyone in this House shares, that knows when something is morally bankrupt. And that's what this industry is. It is; it absolutely is.

What should we do about it? We've received assurances—I'm going to say it again—that a hard cap will come in; that the hard cap on interest rates will be better than Manitoba's; that the expert committee will have the voices of the victims on it; that this will happen in a timely fashion: It will happen by the time the House meets again in the fall.

We ask for this. We demand this—not on our behalf. I'm sure no one in this House has ever walked into a payday lender. They certainly don't need to, with the 24% pay raise we all got a while back. But I can tell you that in my riding and in your riding and in all ridings—

**Mr. Michael A. Brown:** Let's see your receipts.

**Ms. Cheri DiNovo:** Anytime you want. I'll show you the receipts—absolutely. Every month I give it away to a charity; no problem. I'm being heckled over here by one of the Liberal backbenchers, a former Speaker, about whether I donate my pay raise to charity, which I do, and I'm always happy to talk about that and always happy to talk about where it goes. It's a discussion for another day.

What I appeal for now, on behalf of everyone in this House, is that we act, that we don't consult anymore, that we don't study anymore something that has been studied and consulted to death across the world, but that we act; that we act as quickly as humanly possible, because every day that we don't, a life hangs in the balance—not your lives, perhaps, but the lives of your constituents for sure.

Let me just wrap up with a story about someone from one of our wonderful drop-in centres in Parkdale called the Parkdale Activity-Recreation Centre who used a payday lender. This is a place that feeds thousands of people a month, and usually, if you walk in there during the day, you'll see 100 people eating for free. They run supportive housing, and almost all of their clients have mental health or addiction issues or both. One hundred per cent of their clients are on government assistance of some sort. Payday lenders set up right outside their door, right across the street, and when they get their cheques, a lot of their members walk across the street not knowing that they're going to be paying 300% to 1,000% interest and not knowing that they're walking into an illegal outlet, so defined by the government of Canada's Criminal Code.

One of these members, a brilliant young man who suffers from schizophrenia, walked in there with his cheque. He couldn't read the regulations, but they lent



him the money anyway. He had a cheque of \$520 or thereabouts—but that's okay for our payday lenders—an Ontario Works cheque. He walked in there, not yet on ODSP—that's another story for another day, the difficulty in getting on ODSP—and they gave him \$150.

I don't need to tell you the rest of that story. We don't need to ask what happened to this person; we don't need to know that he lost his room the next month and that he slept rough, as they call it in Parkdale and other parts, because he couldn't pay his rent and because he couldn't feed himself. Thank God for PARC, which fed him for free.

That's the result of the current state of payday lending; that's the status quo. I simply ask, is that what we can live with in this place? Will that let us sleep well at night, Liberal backbenchers, all of us? Is that what we could live with, or are we impelled out of everything that's decent, everything that's ethical in us, to act and to act fast?

Finally, just to recap, what do we need? A hard cap; to recap, we need a hard cap. We need at least 60% or under. We need to do this fast, not slowly. We need to bring this in in time for the House sitting again in the fall. We need—and we've had assurances about all of this—there to be members on that expert committee who speak for the victims. Finally, we simply need to do the right thing.

**Mr. Peter Kormos:** Very briefly—and I suspect that this bill is going to go to a vote in short order—I want to thank ACORN for their tenacious agitating, organizing and mobilizing of people around this issue and, of course, Cheri DiNovo, our member for Parkdale-High Park, who has pursued this matter with vigour and passion from the get-go, from her first election here in that by-election during the last government.

The bill demonstrates this government's perspective towards poverty. This government doesn't want to abolish or eliminate poverty; it wants to manage it. It wants to sanitize it and put a little bow on it. When you're regulating payday lending, that's all that you're doing: You're dressing up poverty a little bit. We should be passing legislation banning payday lenders, abolishing them and making sure that every resident of this province has reasonable access to a financial institution—and specifically, that means credit unions and caisses populaires, those that are provincially regulated, so that they don't have to resort to payday lending.

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When you really look at the underpinnings, Ms. DiNovo is oh so generous. The \$300-a-week paycheque, sometimes less—because when you're sleeping rough, you're out at 4:30 and 5 in the morning at those daily contract agencies, picking up work, more often than not, for below minimum wage. At the end of the day, you hold in your hand a couple of \$20 bills and some quarters and nickels, and trust me, when you're making below minimum wage, you don't toss the pennies and coins into the street. People are forced onto unliveable levels of income, and they're forced onto Ontario Works and

ODSP benefits. To call them benefits is perhaps a serious misnomer, isn't it?

So really, payday lending and ripping off people who are poor is all about poverty. Does this government want to abolish poverty? No, it doesn't. It wants to manage it. It wants to control it. It wants to suppress the potential that poverty has to create rebellion in and of itself. In that respect, the agenda here with payday lending regulation is a thoroughly objectionable one.

The banks—the dirty little secret of the banking industry, as Ms. DiNovo calls it—are lined up like the thieves in the night that they are, buying a share interest in payday lending operations, circumventing federal regulation. Those oh-so-profitable banks, showing record profits year after year, continuing to rip off every depositor and every small borrower that they can—it's not even fair to call it nickel-and-diming their customers, because they don't nickel-and-dime you anymore, with the bank fees, the ATM fees and the \$17.50 fee if you haven't reported access to your account in the last two years. I find it remarkable that a bank's got your money in their account, they're using it, yet if you haven't gone to that account to take money out, letting the bank have full use of it, those thieving SOBs get away with charging you \$17.50 for letting them use your money.

Those are the real criminals. I'd empty the Don jail out tomorrow if you'd guarantee me that it was bankers and payday lending operators that were going to fill those cells. Our streets would be far safer. We could empty the Don jail tomorrow, and the community would be far safer if we filled those cells with bankers and payday lender operators. And fewer people would be victimized. Think about it.

If you really wanted consumer protection in this province, the government would be telling payday lenders, "You've got to have a big rip-off sign at the front door and at every kiosk." Instead of saying, "May I help you?" the clerk in the payday lending operation would have to say, "Good afternoon, sir. I'm here to rip you off. I'm here to take your money and give you nothing in return. I'm here to turn you into a payday lending junkie."

That's what it's all about. It's just like the liquor companies who insist that they don't encourage drinking by young people. The beer manufacturers in this province—and God bless them—don't make money off the drinker who drinks a case a year. Seagram's doesn't make money off the rye drinker who drinks—I remember some of our parents used to have a bottle of rye that sat in the cupboard and came out at Christmastime. There was a little shot by the folks and then it went back in that cupboard. Liquor companies don't like those kind of consumers any more than payday lenders like the kind of consumer who pays the loan off in short order. You don't make any money off the customer who pays the loan off, just like this government's casinos don't make any money off the busload of senior citizens who show up once a year with a hundred bucks in their pocket. That's not the kind of gambler they want. The casinos want addicted gamblers people who show up and lose money, day after day. The



liquor industry wants people who will binge drink and young people to be more actively drinking, as part of their advertised lifestyle. Payday lenders want victims who aren't going to pay the loan off. If this government was serious about consumer protection, there'd be big signs: "You are being ripped off," bigger than Money Mart and then Money Mart—this tall.

You see, the problem is that if they put those signs on payday lenders they'd have to put them up at the Niagara Falls casino, wouldn't they? They'd have to put them up at the slot machines at any number of racetracks, and they'd have to put them up in Windsor.

**Mr. Kim Craitor:** Hey, hey, hey.

**Mr. Peter Kormos:** I'm sorry, Mr. Craitor, please. You may be a fan of the casino economy. I recall very clearly the debate around casinos and casino gambling in this province and I tell you, the casino industry doesn't want people to show up once a year with 100 bucks in their pocket. They want them to show up every day with 50 bucks in their pocket. The payday lender doesn't want people to show up once in a lifetime because they need to carry themselves over through a little gap; they want them there every week.

Ultimately, it is the banks that have to be held accountable, because they've engineered and created an environment wherein payday lending flourishes. This government has to be held to account because of their refusal to raise minimum wage, to effect affordable daycare for every kid in this province, to increase ODSP by at least as much as they've increased their own salaries. If ODSP benefits were increased by as much as MPPs increased their own salaries over the course of the last four or five years, ODSP recipients would be ecstatic. They'd be giddy and far less inclined to become victims of payday lending operations.

The Conservative critic, who's done a stellar job, paid tribute earlier this afternoon to the Liberal member for Davenport, Mr. Ruprecht. She spoke of him with respect and affection and talked about—well, she did, and I'm sure he would want to acknowledge that himself and he wouldn't mind me doing it for him. But here is a long-time Liberal member, one of the top 10 in seniority in this Legislature, whose own colleagues won't even let him pass valid, meaningful, real consumer protection regulations and legislation when it comes to identity theft and consumer fraud of that ilk. That speaks volumes about the McGuinty Liberals.

They are cultivating an environment where the victims continue to be victims and where the wealthy continue to get wealthier. They're cultivating an environment where the gap between the richest and the poorest grows and grows and grows. They're cultivating an environment where the working middle class in this province is being forced into homelessness, unemployment and poverty. If you do, indeed, want to take a look at this from perhaps a cynical perspective, this payday lending regulation is part and parcel of that whole agenda. This is not a day the Liberals should be proud of, let me tell you that much.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments?

**Ms. Lisa MacLeod:** I want to congratulate my colleagues from Toronto—Parkdale—High Park. I should know this because I supported her in a by-election.

**Mr. Peter Kormos:** So did I.

**Ms. Lisa MacLeod:** You sure did, and I congratulate my colleague from Welland as well. They make some valid points.

Sometimes we don't exactly come to an issue from the same perspective, but I think that the point is very clear. This piece of legislation, if you look full circle, does not address the root causes of poverty. From my perspective, I don't think that this legislation does enough for consumer protection. Specifically, fiscal literacy was not sufficiently addressed in this piece of legislation and Internet payday loans were not addressed in this piece of legislation. The regulatory framework is onerous; it is one that has added to the caisses populaires and credit unions of this province, making it more difficult for them to do the business they are expected to do by their clients.

We are also looking at an expert panel of which we do not know the composition. We know that some of the experts who are outspoken advocates didn't even receive interviews from the province, whether their experience comes from the payday lending industry or from the consumer advocate industry.

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The final concern that we have is that clearly the root cause of poverty in this province isn't because of payday loans. We will support it. I'm hopeful that the New Democrats too will support it, because it is in fact a matter of housekeeping. The federal government has delegated responsibility to us in this Legislature to put together a regulatory framework. They didn't get it all right, they got a bit of it right, so we're going to say this is a good step forward. I expect the minister will come forward with a consumer protection package to deal with identity theft, Internet payday loans and greater consumer reporting credentials.

**Hon. Ted McMeekin:** I'll be brief. I just want to say at the outset that I appreciate the comments that were made opposite. We're listening carefully. We note in passing that in socialist Manitoba, which had an expert panel to look at rates as well, the rate they came in with in legislation cumulatively is in excess of 600%. I really am optimistic, as an honourable member, to do better than that. So we're looking at that.

The other issue that I think needs to be addressed is, why not the Quebec model? We didn't go there because of some of the very reasons the honourable member for Parkdale—High Park referenced: the unsavoury characters in any society, the criminal elements and the loan sharks who now feed on people who can't access a regulated, responsible payday lending industry. I don't know whether they're Hells Angels or Nazis or whatever; I know there have been all kinds of references, and that's neither here nor there. But I can tell you, it wasn't our goal to drive people into the hands of those sorts of unsavoury characters.

I've said before and I'll repeat it again: We want to develop a responsible payday lending regimen, one that



acknowledges, as the member for Nepean–Carleton has done, that they just aren't poor, vulnerable people who use this service. The stats show that about a quarter might fall into that category, but there are people who from time to time need this service, and we want to make sure it's regulated and handled in a responsible fashion.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments? The member for Parkdale–High Park for a response.

**Ms. Cheri DiNovo:** Just to respond to the minister, it's interesting that in Manitoba, despite their legislation, the payday lending associations are taking the government to court, so that again shows you the nature of the beast.

When I talk about loan sharks and when I talk about usurers, I'm talking about the payday lending association. I'm talking about those that operate already in that illegal yet grey, unregulated area right now in your city, in my city, on every second corner; those people who are charging right now between 300% and 1,000% interest. That's what we live with right here, right now. That's the situation. So we don't have to talk about somebody doing something nefarious; they're doing it. Nefarious is the order of the day. It's on your corner, it's operating, nobody is arresting anybody, and yet it is illegal by the definition of the Criminal Code of Canada, which says that anything over 60% interest is usury. So that is the situation.

What we're asking for in the New Democratic Party is very simple. It's not utopia. We're asking for a hard cap on interest rates, a hard cap under 60%; under the current

Criminal Code definition, because otherwise it's worse than what we have right now. And we're asking for consumer advocates on the expert panel. That's what we're asking for. And we're asking for speedy action, which is to say we don't want to be having this conversation in a year. We want to see in the fall, when the House sits again, some action—60% or under. That will change the lives of victims, because at the end of the day that's what we're talking about, an industry that has thousands of victims in Ontario.

So with that, I'll let it rest and I'll live in hope.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate? There being no further debate, does the minister wish to make a final reply?

**Hon. Ted McMeekin:** No, Madam Speaker.

**The Acting Speaker (Ms. Andrea Horwath):** Thank you.

Mr. McMeekin has moved third reading of Bill 48. Is it the pleasure of the House that the motion carry? Carried.

*Third reading agreed to.*

**The Acting Speaker (Ms. Andrea Horwath):** Be it resolved that the bill do now pass and be entitled as in the motion.

**Hon. Leona Dombrowsky:** Madam Speaker, I move adjournment of the House.

**The Acting Speaker (Ms. Andrea Horwath):** Is it the pleasure of the House that the motion carry? Carried.

The House now stands adjourned until 9 o'clock tomorrow morning.

*The House adjourned at 1526.*

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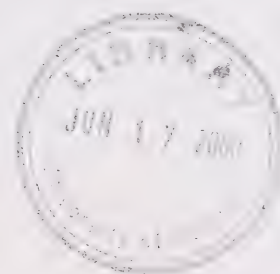
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**Assemblée législative  
de l'Ontario**

Première session, 39<sup>e</sup> législature

**Official Report  
of Debates  
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**Journal  
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**Tuesday 10 June 2008**

**Mardi 10 juin 2008**

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 10 June 2008

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 10 juin 2008

*The House met at 0900.  
Prayers.*

## ORDERS OF THE DAY

### PHOTO CARD ACT, 2008

#### LOI DE 2008 SUR LES CARTES-PHOTO

Resuming the debate adjourned on June 5, 2008, on the motion for second reading of Bill 85, An Act to permit the issuance of photo cards to residents of Ontario and to make complementary amendments to the Highway Traffic Act/ Projet de loi 85, Loi permettant la délivrance de cartes-photo aux résidents de l'Ontario et apportant des modifications complémentaires au Code de la route.

**The Speaker (Hon. Steve Peters):** Further debate?

**Mr. Frank Klees:** We are debating Bill 85 this morning, the Photo Card Act, 2008, and I'm pleased to add my comments as the critic for the Ministry of Transportation for the official opposition. I'd like to first of all set the context for the bill, the reason that the government is bringing this bill forward, what precipitated it, and I'd like to speak, in principle, to the fact that as the official opposition we will be supporting the bill and its intent. I will also be outlining some concerns that we have that we anticipate the government will address in the course of committee, and also as it prepares for the implementation, phasing in, of the bill. I will be referring to some concerns that our privacy commissioner in the province of Ontario has expressed, along with privacy commissioners from across the country, with regards to some of the technology. We want to ensure that the appropriate safeguards are in place to protect the very important personal information that will be contained in these identification cards. I will also be taking some time to speak about the importance of ensuring that we have a smooth process of border-crossing between us and the United States, for many reasons. They are our major trading partner.

One industry that we are particularly concerned about is the tourism industry. We are concerned that as we go into this summer there are already signs of a reduction in the number of reservations, for example, that various tourist operators are receiving. There's no question that the price of gasoline has a great deal to do with that. And we are concerned that there seems to be very little, if any, response on the part of the McGuinty government to

what could be another very serious impending economic downturn.

We already see the effects that the loss of manufacturing jobs has had in our communities. The McGuinty government appears—although there are and have been many announcements with regard to infusions of money in various aspects of the auto industry, it seems that the basis on which those investments were made was perhaps haphazard, that there were not sufficient safeguards put in place when those very substantial commitments to the auto sector were made. General Motors is an excellent example of that: more than \$130 million of commitment of taxpayers' dollars, with good intentions no doubt, being invested in that industry, all with the underlying purpose of ensuring stability within that industry and ensuring a guarantee of jobs, and then, on the heels of that announcement, we find major closings announced—the truck plant in Oshawa. It has left not only the employees of that factory with great concern as to their future, but I know that even members of this government were caught by surprise, not the least of whom was the Minister of Economic Development, who was instrumental in ensuring and in delivering that investment into General Motors. We observed that she did not have the answers in terms of how this could happen, when in fact there was an expectation that jobs would be guaranteed. So I'll have something to say about the tourism industry and what the government should be doing.

First of all, the context for this: It was brought on, really, by the 9/11 disaster, a wake-up call for all of North America in terms of the threat to our security. Immediately, of course, the focus was on our borders and what is it that we must do and can do to ensure secure borders. All of us, on either side of that border, came to the realization that not enough was being done to ensure that those borders are secure. So under the western hemisphere travel initiative, now all travellers entering and leaving the United States by land or sea will be required to show a passport or an accepted alternative to a passport as of June 1, 2009. That presents, then, the concern of how we ensure that travel across that border, legitimate travel across that border, is not hampered and that we do so in a way that is both secure as well as convenient. Because in the same way that many of the border states rely on Canadians to travel there, whether it is for shopping, whether it is for entertainment, whether it is for holidays, we as well rely very heavily on US travellers coming to Ontario to enjoy what we have here in terms of our tourist attractions. What we are concerned about is to



ensure that those American travellers are not discouraged from making that trip to Ontario because of the inconvenience at the border. So I think there's a mutual commitment on the part of our border state colleagues and the various state legislatures, along with us, to ensure that we have a mechanism that is at once secure as well as convenient.

**0910**

Nearly four million people in Ontario do not have a driver's licence and therefore don't have access to even the basic identification. We've raised this a number of times as well. This is in addition to what we're going to be addressing today. But I think a by-product of this bill before us will, perhaps for the first time, actually address that issue of an identification card for people who don't have a driver's licence, that as we roll this program out, that will then be available to those Ontarians and give them an opportunity to access that kind of identification document.

In December 2007, you will recall that the Ontario government introduced what they referred to at that time as a "more secure" Ontario driver's licence that would help against fraud, misuse and identity theft. I recall well the Minister of Transportation assuring us that the advanced licence that was being introduced at that time would not contain citizenship information, not contain any more information than drivers' licences contain now. I find it somewhat odd that less than a year after that major announcement on the part of the government for a new driver's licence, an enhanced driver's licence, now we're back here with yet another revamped announcement that goes the full distance to photo technology. In fact, it will contain, in addition to the information that we now have on our drivers' licences, citizenship information and will be required to have some very advanced technology.

I guess what I have to question is this one-off type of announcement that this government continues to deliver to the Legislature here. It begs the question, are we not doing some longer-term thinking? Why was there one announcement a year ago and it's taken this long to then bring forward this technology? Will the information that we trust will be on these new proposed identification cards, these enhanced drivers' licences, be secure?

What I want to do is to address an issue of concern as expressed by the privacy commissioners of Canada. I want to just refer to discussions that we have had with our privacy commissioner here in the province of Ontario. They are specifically concerned with the RFID chip technology, how information on that chip will be read at the border and what the specific issues on citizenship verification will be. These are issues that we have assurance from the privacy commissioner, that they have in turn received from the minister, that they will be addressed.

The other concern is that there be a separate database. There are concerns regarding where the information that now will come into this database would actually go. As per the resolution of the privacy commissioners that there be a requirement that the personal information that is

then gathered into this database not go stateside, that it is kept here in Ontario, the preliminary assurance that we have from the minister is that the government information will not go beyond our borders, and we look for assurance of that. There isn't a great deal of information regarding the RFID chip to which I referred earlier, other than that it is an advanced technology, that it is something that will allow a transmission of information as individuals approach a border, and that it will actually be recognized. A crossing guard at the border will either be able to then swipe the card using a magnetic strip similar to those on current drivers' licences, or to use that RFID technology. Information, we're assured, that would be available to border guards should not be any greater than what is currently available on a driver's licence or a passport.

Then again, it comes to the point that the technology is unknown technology as it relates to this kind of identification card. I commend the BC government for the fact that they have actually launched a pilot project under which they're going to limit the number of these cards to 500 while they go through their pilot project to test out how it works, to test out the security and efficiency of that technology. That trial run of that program should be of interest to us, and I would encourage our government to do the same, that once this legislation is passed, we have a very specific implementation program under which it would be phased in, under which we can be assured that all of the technical issues are dealt with and that we don't end up with problems that will cause us more issues in the long term.

The reason that I dwell on the privacy concerns is that I've raised issues in the past here in the Legislature concerning the Ministry of Transportation's dealing with personal information. You may recall that about a month ago, I raised in question period with the minister the issue of Anna Medeiros, who had been issued a driver's licence by the Ministry of Transportation, not ever having applied for a driver's licence. Observers of this debate who aren't familiar with the file will question how an agency of the government could issue identification such as a driver's licence to a citizen of this province who never applied for that document. The way that happened is that there is in legislation a mandatory requirement for physicians to report to the Ministry of Transportation if they are treating someone who has a condition that may—and I repeat, that may—be of concern to someone who drives a car. In other words, it may be an issue of sight or it may be potential for seizures, but if there is a concern that the individual may not safely drive a vehicle, then there is a requirement for that attending physician to make that report to the Ministry of Transportation.

**0920**

In this particular case, in Anna Medeiros's case, her doctor made a report to the Ministry of Transportation about a potential concern. Ms. Medeiros not having a driver's licence, I'm advised that the Ministry of Transportation processed a driver's licence in her name, and then,



once it was issued, immediately cancelled and suspended that licence. Now we have a situation where Ms. Medeiros has a record of a suspended driver's licence and is in the databank of the Ministry of Transportation as someone who may have an issue. When and if Ms. Medeiros ever applies for a driver's licence, whether that be five years or 10 years or 20 years down the road, her application will immediately be flagged theoretically, and whether her medical condition has improved or not, she now has the challenge of dealing with this record of a suspended driver's licence on her file.

I raised this matter with our privacy commissioner, Ann Cavoukian. My reason for raising it with her was to point out that when mandatory reporting was implemented in this province, it was never the intention that people be tracked this way. I personally and we as the official opposition believe that that is an inappropriate use of personal information. We asked that the privacy commissioner investigate this matter with a view to alerting the Ministry of Transportation that this is inappropriate. The privacy commissioner responded and confirmed that an investigation has in fact been commenced by the privacy commissioner into this practice. We look forward to hearing back from the privacy commissioner with regard to that.

I want to bring another matter to your attention as an example of how the Ministry of Transportation deals with matters of personal information. This is a letter that was sent to the leader of our party, John Tory, by Mr. Eddy Consenheim. I'm going to read it into the record because I think it's important that members understand and that the Ministry of Transportation gets the message clearly from us here that we will not simply stand by as the Ministry of Transportation deals with personal information of private citizens in such a cavalier way. There is enough encroachment into our lives by government, let alone this kind of presumptive intrusion into our personal lives.

Mr. Consenheim writes to Mr. Tory as follows:

"Dear Sir,

"Herewith enclosed is my letter to the Minister of Transportation about my complaint for the invasion of my privacy by a private corporation, the 407 ETR.

"I find it unacceptable that outsiders can obtain my personal information without my consent, see the copy with the description. I do not have a transponder and have never filed an application for this."

Signed, "Eddy Consenheim."

He refers to the letter addressed to the minister. I'm going to read that into the record. It's my understanding that the minister has yet to respond—this was written on May 1, 2008—and I will look forward to seeing the minister's response. The letter reads:

"Dear Sir,

"Recently, I discovered on the backside of the account statement from 407 ETR a statement that was never brought to my attention, and I don't know how long this statement has been included.

"The statement in question is the fact that 407 ETR 'may request a consumer report and a credit investigation of my personal information.' I find this very disturbing and I don't see the reason for this unless this is done for the government to gather more personal information that should be protected under the privacy act.

"As far as I know, and I have never been informed different, anyone wanting to get my credit information can do so when this is on the application and accepted by the applicant and signed for.

"It is beside the fact that the costing is getting absolutely outrageous and instead of the government's promises to change this, they are now giving more power to outside interests. This is totally unacceptable. I will also inform the other parties of this. It could well become a point of discussion in the next election." It is signed "Eddy Consenheim."

Attached to this is a copy of a 407 ETR bill. This is a bill that is sent to anyone who travels the 407 ETR. We're familiar with the technology, whether you have or you don't have a transponder which you sign for, apply for and, of course, agree to all of the terms and conditions of. As Mr. Consenheim rightfully states, if you make an application and you sign an agreement that a credit check will be done, we all understand that. But in this particular case with the 407, people get a bill without signing anything. You simply have to drive the highway, the cameras pick up your licence plate, it's tracked, and then you are automatically sent a bill. And here's what it states on this bill:

"407 ETR may request a consumer report containing personal information about you and may request a credit investigation and exchange information with credit reporting agencies."

On the back of the bill, there is no signature—no agreement by an individual to allow either the 407 or the government of Ontario to gather any personal information. It refers to other agencies. Is it referring to the Ministry of Transportation? Is it referring to other companies, other third parties, perhaps private companies? We don't know. It's a blanket release that is presumed, and Mr. Consenheim's point about this is that the 407, of course, cannot issue this without the sign-off by the Ministry of Transportation. So this is yet one more example of the Ministry of Transportation agreeing to the encroachment on personal information of private citizens in the province of Ontario. So when I raise the issue in the context of the debate of Bill 85 and the government's intent to bring forward an identification system that will contain not just the name and age and colour of hair and other information that we have on our driver's licence, but will also contain important citizenship information, we want to be very clear that whoever is administering that technology at the Ministry of Transportation has the resources to do so effectively.

We continue to hear about the misuse of information. We had an example again raised in this Legislature of an individual who had lost his licence for life as a result of drinking and driving. That same individual was issued a



driver's licence. He made the application—the same name—and the Ministry of Transportation was incapable of doing the necessary cross-checking of that individual's identification to ensure that someone who should not have a driver's licence was denied that. We are not comfortable at this point in time until we hear from the minister. We will look for the minister to provide us information during committee of the steps that he has taken to ensure that there is competence and that there is ability at the Ministry of Transportation to in fact deal with these issues.

0930

I want to turn to the issue of our tourism industry. We have heard from the Minister of Transportation that one of the reasons that they're moving forward with this technology is because we want to ensure a smooth flowing of travellers across our borders—and tourism is a big part of that. I want to question the government: Where is Mr. Greg Sorbara? Where is the tourism czar who was appointed by Dalton McGuinty for the express purpose of researching the tourism industry to ensure that the industry is healthy and vibrant? Tourism is one of the fastest-growing industries on the planet, and yet Ontario lags behind most other jurisdictions in terms of its growth rate of that industry. That is a shame given the extent of our natural resources in this province that should have our attention.

We're losing manufacturing jobs in a sector that is experiencing significant difficulties. Whether we're in southwestern Ontario, eastern Ontario or northern Ontario, we have the resources available here in this province to develop a dynamic industry that would be second to none anywhere in the world. People travel now from all parts of the world to experience our great north. Whether it's fishing, hunting, sightseeing or ecotourism, we have natural resources in this province that are second to none anywhere. Whether it's the wine country of Niagara that people come to visit, the farmlands in southwestern Ontario, eastern Ontario and all of the lakes and streams and all of the wonderful tourism resorts that we have there, we have available here an industry that is just waiting for a government to support the private sector, provide the encouragement and provide some of the destination marketing support that the industry so desperately needs. By the way, that is available to tourism industries in other jurisdictions, and yet it continues to be ignored.

As we go into this summer of discontent, compliments of Dalton McGuinty, where people should be looking forward to enjoying all that we have to offer throughout this province, we have skyrocketing gas prices, about which the government refuses to do anything. In the past we've seen travellers, we've seen boat trailers being towed, we've seen camping trailers heading north. I can tell you that our highways are half empty. When you talk to our gas station attendants, they'll tell you that while the revenue they're collecting is way up, the volumes that they're pumping are way down. When you talk to our tourism operators and you ask them, "What are the pros-

pects for this summer?" they'll tell you, depending on where in the province, that reservations are down anywhere from 25% to 50%.

These are small business people, individuals who have invested their own resources in building their businesses. There is silence on the part of this government, the McGuinty government, in responding in any way, to provide any assistance, as we go into this summer.

We have made a proposal that is being ignored by the McGuinty government. We've called on the government to provide at least tax relief for individuals in this province over the course of the summer. We have called on the government to reduce the sales tax during the course of the summer. That would ensure that people have the opportunity to enjoy some of the benefits that we have available to us in this province.

My colleague Ted Arnott put out a press release just recently, calling on this government to ensure that tourism in Ontario will not be negatively affected. He was disappointed at the government's response to our proposal to eliminate the retail sales tax on all accommodations and attractions for the summer months.

Why would the Premier ignore a practical proposal over which he has absolute control? It's true he can't control the price of gasoline, but what he can control is what he charges consumers by way of taxation over the coming summer months on accommodations and attractions. To eliminate the sales tax is not a huge impact on the overall budget of this province. However, I can tell you that it would at least be an incentive for people to go to those gates, buy their tickets and to spend their money in those attractions.

"The Premier's plan isn't working. He's spending \$8 million on a long-term, so-called tourism competitiveness study, but offers nothing for the many thousands of Ontarians whose jobs are already at risk." You may recognize who said that. It was Mr. Arnott in his capacity as critic for tourism in this province.

Interestingly enough, the announcement that the Premier made to spend \$8 million in support of our colleague, who I think since this announcement has made a few mystery appearances in this place—obviously he's travelling, although it's hard to spend \$8 million all by yourself. So he must be working overtime to do that.

What I would like to know is, what happened to the tourism strategy that was developed in 2002? The reason I remember that very well is that, as Minister of Tourism at that time, I travelled the province. It certainly didn't cost \$8 million. I think the total extent of the entire study, under which we travelled from northern Ontario to eastern Ontario to southwestern Ontario, conducted consultations throughout the GTA and prepared a fulsome report—that entire exercise could not have cost more than \$150,000.

Now, Mr. Sorbara, with an \$8-million budget, in all of the time that he's been absent from this place and out there, out and about, no doubt consulting once again—I have no doubt as well that Mr. Sorbara, in his capacity as tourism czar of the McGuinty government, will not come



up with another new idea that isn't already contained in that 2002 report. I would ask the current Minister of Tourism to go to his staff and ask them to dust off that report, bring it forward and begin to implement some of those recommendations that were proposed to this government by tourism operators and by individuals who have invested their good funds in creating a business in Ontario that is now slowly eroding because of the lack of action on the part of the McGuinty government.

0940

Now we want to restudy it. Take the \$8 million and give it to some of those people who need that money to upgrade their facilities so that they can bring people in. That's the best use Mr. Sorbara could make of that money. Take that \$8 million, instead of using it once again to restudy something for which we already have the answers, and begin to implement a tourism strategy in this province.

The beginning of that should be our proposal, John Tory's proposal, the proposal that Ted Arnott, the critic for tourism in this province, authored, and that is to eliminate the retail sales tax on all accommodations and attractions for the summer months. That is a practical proposal. It would simply take five minutes to implement and it would have a substantial effect on the tourism industry right across this province.

We will be watching the Ministry of Transportation—having the lead on the implementation of this new security photo card—very carefully as to how they proceed. We look forward to working with them. We want this to be successful. We want to ensure that our borders are secure and that there is ease of crossing, both for passengers as well as for those doing business in Ontario and in the border states.

We look forward to this going to committee. We are certain that we will have experts coming forward, testifying before the committee, providing the assurances we're looking for. Most important, as I stated previously in the course of debate, I will be looking for the Minister of Transportation to provide us with the assurance here that the various departments within his ministry are adequately resourced to protect this information and to administer it efficiently and effectively, so that this proposal we have before us will in fact have the intended effect as it's described.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. John O'Toole:** It's always a pleasure to listen to the member from Newmarket–Aurora. Having been a former Minister of Transportation, it's evident that he knows of what he speaks, especially when it comes to having served as a Minister of Tourism as well. So he brings a lot to the topic. It's an important topic. He's described a couple of issues that aren't totally related, but the issue of privacy and the security of information is critical.

I think it's most important to listen, because he talked to some extent about the plight of tourism in Ontario. He did mention the travel czar or the tourism czar, Mr.

Sorbara. Over here, we're all worried about the \$8-million trip that he took—one, two or however many trips it may have been. We're looking forward to some kind of report or accountability on that. Hopefully, the next time he travels he will have a travel card so that we can actually bar code all of his activity and where he went.

On a serious note, the real issue here is that it doesn't solve the problems the minister brings forward. What we're really interested in is having more tourists and visitors coming to Canada, coming to Ontario. This does nothing to improve that. Don't be misguided by what the minister said in his initial comments. I'm going to take a few minutes after the round has gone through to put on the record the sequences and some of the information that has been put out that perhaps could not give a true impression of the consequence of this card to the people of Ontario. It's important and we support it, but we always have to say that, for instance, if you're travelling by air, this card will not serve; you'll have to have a passport. There are significant gaps in this rush to get it done, and yet we've got the \$8-million czar travelling around wondering where he's going.

**Mr. Michael A. Brown:** I appreciate the comments of the member opposite during his speech. I think we share—well, I know we share—his concern over privacy and the security of the information that will be encoded in these cards. There are actually four different cards that we're talking about. We're talking about a photo card. We are talking about an enhanced photo card, which would be a photo card for someone who's not a driver but would like to have a card that identifies them and would have their citizenship included on it. We are talking about the normal driver's licence, and an enhanced driver's licence which would have citizenship identification on it.

It is an issue that we take very seriously in terms of the administration. We understand that the data bank has to be secure, that it has to be reliable and that we have to make sure that the individual's privacy is protected. That is what this is all about. I myself have talked to the people at homeland security in Washington. I've been there; I've talked to them. They are very concerned about the same issues. They've actually come to Ontario, looked at the way we issue drivers' licences, and my understanding is that they are comfortable with that. We have to do those sorts of things. I've also been to the state department, where I've had the same kind of assurances. We have to ensure that our partners in this particular project, the Americans, understand that we are capable of doing it, and we have to understand that the flip side of this is that the American states are also doing it. Michigan is doing it. Washington is doing it. New York is working at it. They want to do it, too. We want free passage or as close to free passage across the borders as we can get.

**Mr. Robert Bailey:** I too would like to rise—

*Interjection.*

**Mr. Robert Bailey:** I know all about the border. I'd like to commend the member from Newmarket–Aurora



for his remarks and description of the bill and our concerns with it. We support it under the proviso that our concerns will be addressed. In Sarnia-Lambton it's certainly important that we have timely border access. It's one of the major border crossings, probably rivalling the Windsor crossing. It's important. I hope a number of people will take the opportunity to cross the Sarnia-Lambton border this summer to come down to the 150th anniversary of the discovery of the oil industry in Oil Springs, Ontario. That's going to be all summer. I hope the members from Peterborough and Algoma will take that opportunity to come down there.

**Mr. Michael A. Brown:** I want to be there, Bob.

**Mr. Robert Bailey:** Maybe you'll have to car-pool.

Anyway, it's vital to our local economy and it's vital to the economy of Ontario that we keep this traffic moving and keep the border open. I think the issues about security of information are very important in this day and age, that people have those guarantees that their information that they do share with government departments be held in security. I'm sure the government will listen to the comments from the opposition, take those under advisement and improve the bill anywhere it does need improvement. We look forward to further debate on the bill and working with the government to make it a better bill.

0950

**Mr. Wayne Arthurs:** Just very briefly, I appreciated the third reading opening address by the member from Newmarket-Aurora, both the first half of the speech in which he was dealing primarily with Bill 85 and the second half in which he was dealing primarily with the issue of tourism in Ontario. It was nice that he could blend the two together so successfully.

We share concerns around issues of privacy and working closely with the privacy commissioner. I know the minister will be taking into account, both from his speech and during committee, the concerns being expressed by the opposition. We all have equal concerns about ensuring that we protect the privacy of individuals while at the same time providing windows of opportunity for exactly the kinds of things the member from Sarnia-Lambton spoke to, and that's ease of access across the border for Ontario residents.

We were pleased to hear as well in his opening comments that it's the intention of the official opposition to support this legislation. It's always encouraging that when they see good legislation come forward, they want to work, as opposition, to enhance it where they can. They recognize the good work being done by the government in bringing forward good legislation and it's their intention to support it at the time of second reading.

**The Acting Speaker (Mr. Ted Arnott):** That concludes the time for questions and comments. The member for Newmarket-Aurora has the floor.

**Mr. Frank Klees:** I want to thank the members from Durham, Algoma-Manitoulin, Sarnia-Lambton and Pickering-Scarborough East for their comments in response to my comments during debate.

The member from Pickering-Scarborough East referred to his gratitude that the opposition would support legislation coming forward from the government. It's a rare occasion that we have. It's now been about five years that the McGuinty government has occupied government benches and I think in the course of that, truthfully, there have really only been about two occasions when I could stand in my place and say, "That is good legislation. I'm willing to support it." But even here today, there are reservations. We're going to be watching very carefully. We do look forward to working with you in that regard.

We have common ground in terms of our concern for security of our borders and we share common ground in terms of ensuring that we have convenient access both for our American friends and Ontarians travelling to the United States. At the end of the day, the important element of this will be that we have in place a technology and a document that are both effective in terms of ensuring cross-border travel as well as protecting the important personal information of our citizens.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

**Mr. Wayne Arthurs:** I appreciate the opportunity to spend just a few minutes on Bill 85, following the leadoff third reading by the member from Newmarket-Aurora and having commented briefly on what he had to say. I understand from those Qs and As that were ongoing that the member from Durham also has the intention of taking just a few minutes to put a few things on the record in that regard.

I think it's important—it remains important; it's not that it will be new, but it remains important—that as we talk about Bill 85, the enhancement of identification, both driver identification and non-driver identification, it's a particularly good opportunity for us, as we talk about cross-border activity, to also talk about the opportunity to provide sources of identification for those who wouldn't necessarily be drivers in Ontario. There are four million people in the province who don't hold a valid driver's licence but who want the opportunity to have the type of ID that they might get asked for on a fairly regular basis.

When one opens up a bank account, as an example, the banks want to see ID. They want to see photo ID, and they'll often ask for a driver's licence. Those who haven't had the opportunity to drive don't have that, and they don't have the easy access to photo identification that can be used for that purpose.

Proving age for seniors' discounts: Obviously discount opportunities for seniors are provided extensively, not only in this province but in other provinces and internationally, and when someone is asked whether they are eligible for a discount as a senior for some modest savings, it's nice to have a form of identification that works effectively. Many of our seniors don't drive or are no longer driving, so as a current strategy whereby identification is easy for them to take advantage of these



savings, the photo ID card is an ideal means by which they can do that.

Certainly work on enhanced photo identification of a variety of sorts is ongoing. As we know, it's not a new issue. We know what sparked this type of activity, but I certainly want to acknowledge the leadership shown by the current and past Minister of Transportation and the Premier in regard to identifying this as an issue and working so closely with our partners across the border in the US, the northern US states close to us, and pressuring the federal government in the United States of America to acknowledge and recognize that there are mechanisms by which one can be identified for the purpose of crossing the border in addition to passports.

As we know, a large percentage of people in this country, and an even greater percentage within the USA, don't have passports. But many of those people want to travel cross-border for the purpose of visiting with family, for the very tourism that the member from Newmarket-Aurora spoke about, for the purpose of short cross-border visits—whether it's the casino opportunities or entertainment or shopping opportunities, and those are activities in both directions—or whether it's something like Marineland in Niagara Falls that American families want to come and visit. Having a passport is not the one and only means by which one should have the opportunity to cross over the border.

Enhanced driver's licence strategies will be an excellent means by which we can expedite border crossings and work very co-operatively with our neighbours cross-border. We know that in Washington state and British Columbia, they've been experimenting and working with this for a limited time now, but the uptake is increasing. It's a good measure for us to see the level of success and also measure where there may be shortcomings so that we can enhance our process, and as it rolls out, it will be an even more effective process for us to use.

There are a couple of matters I just want to comment on extremely briefly: the matters of citizenship and privacy. There will be no citizenship information held on the card. It's certainly not the intent of government to risk any privacy matters by containing that. There will be a requirement, though, that citizenship be identified at the time of application for the card, because for security reasons, if we're going to use these for cross-border activity, it's obvious that we want to ensure that citizenship is confirmed. We can do that in Ontario by virtue of birth records. For those who are not native-born to Ontario, we will have to depend upon our work with the federal government to identify citizenship for the purposes of the application and the issuance of the card but not for the purposes of carrying that information on the card.

We'll take extreme care—and I know this will be part of the committee discussion—to ensure the privacy of individuals even as they use this card. Our privacy commissioner has spoken to this matter. We obviously take her comments seriously, and we look forward to her

continuing input as this process unfolds and look forward to comments from all sides of the House on how we can ensure that people's privacy is protected in this matter. I have a great degree of confidence that we will actually be able to ensure that occurs. We continue to work very closely with the privacy commissioner on this matter as this process moves forward, even during the course of the debate, in anticipation or hopefulness that, having heard from opposition parties their intention to support the legislation, it will actually see its approval throughout this process. So we continue that work with the privacy commissioner and the federal government as it relates to privacy and citizenship-related information.

This will not be a citizenship database. We're not looking to use this mechanism to create yet another database of information, but we certainly will verify citizenship at the time the application process is unfolding.

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This is exciting legislation we're moving forward on. I think it's a responsive piece of legislation; it's an indication to the public at large that the government and this Legislature understand the needs of this province and its citizens from the standpoint of having cross-border access and from the standpoint of having identification that they can use effectively for their day-to-day business here in Ontario, throughout this country or elsewhere. Having photo identification is so terribly convenient for those of us who normally will be able to walk with our driver's licence as it currently exists within the province when we're asked for photo ID. It's easy to pull it out; it's easy to use as a second piece of identification.

I was out of the country recently, and I had my passport with me, but where I was, they were actually looking for two pieces of ID, because I was Canadian and travelling abroad. It was nice to have my driver's licence provide that level of assurance that they were looking for. They could actually compare the pictures, and even though they're a little bit dated at this point because they all have different time spans for when they expire, they could at least compare and ensure themselves that they were actually dealing with the person they thought they were dealing with. This will provide an opportunity—particularly the photo ID cards—for those who don't have a licence of any sort to have that extra identification available to them; the secondary opportunity to identify themselves, whether it's a birth certificate and then a photo ID card that has the photo on it, or even a passport and a photo card as a supplementary form of identification that one would want to have available.

As a matter of fact, I'm dealing with a matter as an estate trustee currently and dealing with a bank. Before we can actually deal with the matters at the bank, they ask that we bring two forms of photo identification to the bank for the purposes of allowing us to work as trustees to an estate. Certainly my driver's licence allows me to do that, but there will be those who wouldn't be in that situation, who wouldn't readily have photo ID available. The photo ID card would be a wonderful opportunity for them to do that.



I think, as well, the enhanced driver's licence strategy is really only a small step. This legislation and its debate, if it's adopted, will be a significant step but not the only one. The technologies that are readily available to us now and could be used will be a way in which we can enhance this process even more. We first need to get the enhanced driver's licence strategy in place and provide people with opportunities to look at the secure fashion of the driver's licence opportunity for identification, but we need to use this as a jumping-off point to look at other opportunities.

We need to expedite travel cross-border. This is not just a matter of being able to travel between here and the US; it's a method of being available to travel expeditiously cross-border. We know the constraints at the border crossings, we know the issues around that, and we know the expenditures that are proposed for capital investment to allow people to move back and forth efficiently and quickly. This will be one more opportunity for us to build on that so that people will be able to, with this type of identification, travel quickly, efficiently and effectively in both directions across the border—enhance those opportunities, allow people to spend more time at their desired destination, whether it's for hours or days or even weeks.

If they're on a short-term turnaround, as the member from Sarnia-Lambton was commenting earlier, I'm sure he would love to see the opportunity for people to get across that border as quickly and as efficiently as conceivably possible to allow visitors to his community to take advantage of the wonderful things in that community and allow those in his community who need to travel cross-border for their purposes to get there quickly and efficiently as well. That's not just his riding; there are those in this Legislature who are close to border crossings. I'm not one of those per se who is directly on a border crossing, but those who are certainly would like to see the opportunity for their constituents and visitors to their community to have a high level of access.

This is one significant step in that process, but I'm personally optimistic that we will find other opportunities to do things even more effectively, taking advantage of technology in an even more substantive way.

I just wanted to add those few comments to the ongoing debate at second reading and look forward to this matter going to committee. I think I misstepped earlier when I referenced the member opposite, the official opposition critic, when I probably referenced the third reading leadoff speech; I would have erred in doing that, because we have yet to complete the second reading debate and allow this matter to go to committee.

I appreciate the time allocated to me and look forward to this process as it unfolds.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Norm Miller:** I'm pleased to add some comments to the speech from the member for Pickering-Scarborough East to do with Bill 85, the Photo Card Act, 2008. I would certainly have questions for the government: When last year they'd just announced the big, new,

enhanced driver's licence, where is the long-term planning, when now we have another photo card? Why are there three photo cards, including a basic photo card? Why wouldn't all of them have the enhanced information? And of course we've had some privacy concerns that have been raised by previous speakers.

Having enhanced information on the photo card is very closely related to tourism. I certainly have some substantial concerns to do with the upcoming summer season of tourism, particularly as a representative of the riding of Parry Sound-Muskoka. I note that at least one member of this Legislature sent out a press release entitled "Summer of Discontent," referring to the upcoming tourism season this year, where we have high gas prices, the high value of the Canadian dollar, and the US economy that has slowed down a lot. So it doesn't take a rocket scientist to figure out that this is going to be a challenging year, particularly the summer season, for tourism. What has the McGuinty government been doing? What are they doing? The answer is, "Nothing." Other than the appointment of the \$8-million member from Vaughan as the tourism czar to go out and do a study, which may be beneficial long-term, certainly it's not going to do anything for this summer.

We have seen a very concrete proposal from the leader of the Conservative Party, John Tory, to take off the retail sales tax for this year, which would be a boost for this upcoming season. It would be something that would make a positive difference. Once the season is over, it's too late; you can't get that business back. So I think that the government should act on the proposal put forward by the PC Party.

**Mr. Gilles Bisson:** Just in response to the comments made by the honourable member, I think the issue for us is that, first of all, as New Democrats we support the intent of the legislation. I had a chance earlier to do my leadoff speech and talk about why we're here, and the somewhat overreaction in the United States to what has happened, as far as how they've adjusted themselves after 9/11. But that's another debate.

This is one of those pieces of legislation where we need to make sure we get it right, right off the bat. I note that the parliamentary assistant agreed with my leadoff speech in that this bill is going to need some time in committee. It may not be a lot, or it may be a lot; I don't know. It depends on how much interest there is, but we need to talk to experts to make sure we get this right. There's a whole issue around technologies. These chips that are going to be inside these particular photo IDs can be accesses. Is it going to be an open system or a closed system, in the sense of how the technology is going to work? Either way that information, that little chip that transmits a signal, which has the personal information of the individual on the card, could be picked up by somebody and hacked if they're able to figure out the encryption, if it is an encrypted system.

If it's not an encrypted system, that's even worse, and God only knows what people are going to do with that kind of information. So I think it's important that we



speak to the technical people at committee to make sure we get that right. Also, the whole issue of privacy needs to be really taken seriously, because we're going to be putting a lot of information on these cards that people probably would love to get their hands on for all kinds of marketing reasons and whatever else it might be.

We support the bill; we think, however, that it needs to go to committee. It has to get some proper time in committee in order to look at some of the concerns around technologies, making sure that it's secure and also the issue of privacy. We need to get our privacy commissioner, obviously, at committee in order to take a look at this as well. I look forward to time in committee.

1010

**Mr. Jeff Leal:** The member from Pickering-Scarborough East certainly highlighted some of the very positive aspects of Bill 85 and the card.

In my riding of Peterborough I have two very active seniors' groups: Marion Batten is president of the Maple-ridge seniors' group, located on Erskine Avenue, and Shirley Shaw is the executive director of Activity Haven on Barnardo Avenue in Peterborough. Both of those groups, when you're talking to them, have talked about the need to have a comprehensive photo ID card in Ontario that they can use. One of those two organizations runs bus tours from time to time, not only throughout other parts of Ontario, but there are some tours to upper New York state and Michigan. Anything we can do to assist those seniors when they go on their travels, to facilitate access across the border, to make it as easy as possible, is a very positive thing to do.

Minister Bradley has been a real champion on this issue. I know he spent considerable time in Washington, DC, as tourism minister, and now as Minister of Transportation, working with Louise Slaughter, who is a Congressperson from upper New York state. Minister Bradley has had those discussions as to how we can facilitate cross-border travel.

The member for Sarnia talks about people getting through Sarnia. We welcome that, because eventually they make their way to Peterborough to fish in the Kawartha Lakes. We see that as a very positive thing.

**Mr. Mike Colle:** Chemong Lake.

**Mr. Jeff Leal:** Chemong Lake and Rice Lake. I know in Rice Lake, American fishermen come, particularly in May and June, to take advantage of the bluegill, which is in abundance in Rice Lake. We welcome them to come in because they do a lot for the economy locally.

We see that Bill 85 is a very positive step. We look forward to it moving through the Legislature.

**Mr. John O'Toole:** The member Pickering-Scarborough East is right on. I followed some of his comments and I look forward to adding some comments in a few minutes on that. I think it's an issue that we all endorse. It's a matter of taking time to get the perspective on this.

There was an earlier opportunity, which I'll explain in some detail. I worked with three or four ministries on that side of the House in 2003 and 2004. I just want to thank

one of my constituents, Joseph Beshara, who wrote to me in early 2004. I met with him. I have the correspondence that I sent to the various ministries, some of whom did not respond. I think the idea is sound. I'd like to give Joseph Beshara most of the credit for bringing this up.

This is already in place in New Brunswick. So we're not inventing it, and this is not rocket science. This is just making it convenient for the people of Ontario, whether they're seniors or persons who simply don't have a driver's licence, to be more mobile in our economy and to have secure identification. So it's the right thing to do.

It's a timely thing to do as we're entering the tourist season. To make it easier for people to cross the borders, for their own convenience and their own mobility in Canada, is something a government should be doing, while at the same time securing their identification. I'll be speaking in a few minutes in more detail.

**The Acting Speaker (Mr. Ted Arnott):** The member for Pickering-Scarborough East has two minutes to reply.

**Mr. Wayne Arthurs:** I just want to extend my thanks to the members for Parry Sound-Muskoka, Timmins-James Bay, Peterborough and Durham, who responded. I think the theme of the discussion this morning, as we've gone through this, has been focused on two or three principle areas, which will get reflected during the committee debate. I think comments around the need to ensure matters of privacy, and the co-operation and input that we'll continue to receive from the privacy commissioner, are going to be exceedingly helpful. I think issues around protection, the type of technology, the need to have that technical expertise made available to members of the committee—to ensure, in my view, that there's a comfort level with the technology and at the same time garner a higher level of understanding of other opportunities of technology that may not be a part of this particular legislation but may find their way into the processes that we use—are going to be exceedingly helpful.

I would just comment if I could, because a number of people have talked about tourism and the driver's licences related to that and gas prices. It was interesting—this is a sidebar. I was listening to the radio on my way in this morning, and the newscast was commenting on comments made by Cam Woolley, the OPP officer who we all know for his work on traffic and traffic safety. He was commenting about the high prices of gas and what that appears to be influencing on the roads. What it appears to be influencing are speeds on our 400-series highways and other related highways. They are actually seeing a reduction in average speeds on those highways, something closer to what the speed limits are—probably more in tune with what we're going to talk about on another bill, and that's speed limits with speed limiters on trucks—closer to those kinds of speed ranges, even on our 400-series highways now. They're actually seeing a very substantive reduction in—

**The Acting Speaker (Mr. Ted Arnott):** Thank you. Further debate?



**Mr. John O'Toole:** In the very few minutes that I have to make a couple of comments, I just want to review for those listening. Bill 85 was brought in on June 3, 2008, by Minister Bradley. I think it's important to be clear here:

"There are three kinds of photo cards: basic, enhanced and combined. A basic ... card contains the holder's name and photograph and other prescribed information about the holder. An enhanced ... card contains the holder's name and photograph, a notation to indicate that the holder is a Canadian citizen and other prescribed information about the holder; it also has security and other features that may allow it to be used for travel. A combined photo card is one card that constitutes the holder's enhanced photo and driver's licence." In fact there are three separate cards here, and I think that's very notable and very convenient.

The key here is, in today's world of technology and privacy issues, ease of accessibility for the user, but it's also for others to perhaps access. It's important to get the security part correct here. I have a bit of a systems or computer-type of background at one point in my career, some years ago, I might say. The idea today, though, is a smart card, similar to a card when travelling on the 407. In fact, some countries already have them. It's not just a passport; it's all of the information that is pertinent to your needs.

We all complain today of having so many cards in our wallet, and different identification things that come up with that. We have now the health card. We also have another card that the province just issued, which is this card here; it's the prescription drug benefit card. I'm concerned that they're hurrying to get these things solved one piece at a time. True smart technology would be much more efficient and much more uniform, whether for reading or processing, if they could just slow it down here and get the right card. The right card could be your health card. It could be your driver's licence. It could be your hunting card or gaming card. It could be any kind of card at all—one card. That would be a smart card. So I think it's going to be neat to have another card in our wallet. You'll have a stack of them like this.

If you want to make sure it's secure, and you put your resources into having the right information available to the right people at the right time at the right price, I think we'd be on to something that was quite innovative here. I don't see any innovation in this at all. It's quick and easy. I can tell you, without getting too emotional, let's not get on the bandwagon here and sing the national anthem and give out some kind of an award, because this is anything but that. Okay?

Why am I a bit perplexed about this? Why did I want to speak? Well, I have a list here. I wrote to Minister Bradley, I wrote to Minister Watson, I wrote to Minister Takhar, and I wrote to other civil servants as well. This was back in 2004. It was brought to me, and I have the correspondence with me. My staff Sheryl, Peter and Fern have done a great job hustling out this information this morning. This is a letter from Mr. Joseph Beshara, who

came to visit me. He moved from New Brunswick. He had a travel card, and the card was also an ID card, an official, provincially issued identification card. He said that his issue was, he didn't drive. Without a driver's licence he was scuppered. I wrote to the government in good faith on his behalf with his words from Mr. Beshara—it's nothing that I innovated. I could give you the log. We track pretty well all the correspondence; we write a lot of stuff to ministers, I will say that—maybe more than any member in the House. But I have very involved and engaged constituents. I'm still waiting, in 2008, for some of the responses to those letters which I have in front of me.

**1020**

Here's a little bridge to the past: I'm going to presume that Mr. Beshara's letter from four years ago resulted in this bill today. I would like to move a small amendment to call it the Joseph Beshara legislation. He thought of it. And all these high-paid bureaucrats, or whatever you call them—we've talked about smart cards for 100 years. A smart health card would actually tell my blood type and you could put it in a machine and see who my doctor was and some of the disclosed information that I wanted on my record in case I had allergies or some other thing. I won't go too far down the road. Let's not go too far here.

Another statement: I'm looking at the remarks made by the minister. It's a speech that was written by civil servants that he read. I'm not trying to be smart; that's how it works. In it, he said—I'm reading right from Hansard, page 2250 on June 3, when he introduced it. It says:

"We are proposing to introduce an enhanced driver's licence card that would include citizenship information. This would become an acceptable travel document, a passport alternative, for US land and sea cross-border travel."

What he doesn't say is that it doesn't include air travel. If I'm travelling by air through any part of that route to Vancouver over the States, I'd have to have ID, and this doesn't pass. It's by the omission that it's not fully informing the consumer.

*Interjection.*

**Mr. John O'Toole:** Another thing that's important if I go on to read here—let's not become emotional. We're trying to understand the bill, which I'd encourage you to read. One of them here is that it implies that it would help tourism. In fact, it's in the speech. It will do nothing of the sort to help tourism. Nothing of the sort. This is not being issued to US citizens. This is being issued to Ontario citizens for their ease of access to leave Ontario.

So what we're saying is we have a catastrophe in Ontario in the economy because of the price of gas and some other tinkering. People now aren't going to be able to go to the States. That's actually good. They can stay in Ontario and spend their money closer to home for tourism. If they wanted to go to Buffalo, it's now going to be easier for them to go to some American destination. But if an American comes over here, they're still going to need their own passport, their own identification issued.



Do you understand? So it's not going to make it easier for visitors to Canada at all.

**Mr. Michael A. Brown:** Wrong.

**Mr. John O'Toole:** The member from Algoma-Manitoulin, I believe it is, is taking issue. I'd ask you to get up in your two minutes and show me the part of the speech that shows how it actually helps American tourists. This has nothing to do with American tourists.

**Mr. Mike Colle:** They're doing the same card as we are.

**Mr. John O'Toole:** That's not this bill. If they do or do not do it, I've not seen it. But that's all I'm saying: A bit of clarity here actually goes a long way in that respect.

We could switch the topic because I think it's timely, but it doesn't come into effect until 2009. That's when this American border issue will be responded to. And that issue, I believe, is important. Border security and the whole security issue with respect to these enhanced cards is very, very important. I would not want to underplay that, but this combined photo card will meet the applicable rules set out by the United States western hemisphere travel initiative, which is good.

Initially, there was some idea that this was an Americanization issue, but I congratulate the minister on the fact that he did push the issue with the border state governors and those people he met, those officials. This is all good.

What it does for the Ontario citizen and the Ontario business person is to make it easier. Some people go across the border weekly, or daily, even. This is all good. It's actually going to be good for people who don't have a driver's licence. They will now have a convenient card. I'd like to see it be a real smart card as opposed to just another card outside of the new visual health card, the new prescription card and all the other cards we have. I think it is a step forward. In that respect, I would be happy.

Now, tourism, and where would you go this summer? I'm switching the tone here a bit, in the last few minutes I have, to say that Durham is a great destination for anyone, whether it's an American or people from other parts of Ontario, indeed Canada. It's going to have a couple of events that I think are important, and I want to give a few people a bit of credit.

We have an excellent destination in the township of Uxbridge; in fact, it's in the community of Leaskdale, which is sort of the northeast part of Uxbridge. That was the home of a very famous Canadian, Lucy Maud Montgomery, and this year is the 100th anniversary of Anne of Green Gables. I thank Councillor Pat Mikuse, who is, I believe, the council appointee to the archives, museums and the cultural part of the community of Uxbridge. I would recommend that. It's a wonderful destination. I believe the ministry has given them money to celebrate this very significant anniversary. I believe it's this Saturday on my schedule, a big celebration. Let me just check on my schedule here. It's the Anne of Green Gables street festival and festival garden tour in

Uxbridge, and it's on Saturday, June 14. There you go. There's an invitation to an easy destination. Even though the price of gas is nearing \$1.50 a litre, it's still convenient to go there. It's just a short drive just out of York region, and you're right there in Uxbridge.

Another anniversary that's being celebrated this summer—in fact, the celebrations will be starting very soon—is the 150th anniversary of the town of Bowmanville. It's actually my hometown, the centre part of my riding. I'd like to thank members from that committee for the work they've done. It's a wonderful historic downtown. I believe it was built in 1858. Unfortunately, they had a tragic fire a few weeks ago, as you may have heard, and one of the historic buildings was completely demolished. It's quite tragic, actually.

Kevin Anyan has worked tirelessly to promote this, and it will be a great celebration. Ron Hooper, the councillor there, is a chairperson of that committee. Willie Woo is also very involved, along with Rowlie Coombes.

Sher and Roger Leetooze—now, there's an interesting couple. She's a writer and has published several books, and she's recording significant events and the record of 150 years of Bowmanville. I would recommend that to people as well.

Martha Rutherford is the historian and archivist for the museums in our area, Clark Museum and the Bowmanville Museum and couple of other museums around as well.

Dan Brock is going to organize the parade. Cheri Smith is doing marketing. Steve Coles is doing the opening, and John Fowler is look after advertising. There's a broad citizens' committee trying to make tourism and the destination of Bowmanville on their 150th anniversary a real success.

There is good news among the many critical things I may have said, but don't forget that I was the transportation critic for a period of time. I'm happy that this is here; I'm disappointed by how long it's taken, all the way back to my comment in 2004 when I wrote several ministers. I think I was ignored, or maybe I didn't get an answer because they were so overwhelmed by what a neat idea this was from Mr. Beshara that they sent it on to Minister Bradley. Minister Bradley has been the Minister of Tourism and Minister of Transportation, so maybe he has moved on an issue thanks to my constituent's writing the letter.

But it's always interesting when you have the opportunity—all of us, Mr. Speaker, you included, because I know the gentleman in the chair right now, the member from Wellington-Halton Hills, is the tourism critic, and made some very excellent remarks. I have those copies of his remarks from Hansard. He made the comparison with the idea of this card and what's missing here—I'm not really sure; I think the critic or the parliamentary assistant may have said in his remarks how much it was going to cost. The first thing I want to do is this hand-in-your-pocket business—that ad. Is this another opportunity for the government to get their hand in your pocket?



1030

**Mr. Bill Murdoch:** The banks are in your pocket.

**Mr. John O'Toole:** Premier McGuinty is doing a fairly good job at it as well with the health tax, and they still have no doctor. What's going on here?

**Mr. Bill Murdoch:** He's in with the banks.

**Mr. John O'Toole:** I only have to stick to the topic at hand: What is it going to cost? Is everybody going to have the new special reader to read this secure card? Are there going to have to be millions of dollars of these readers at the borders so they can read this card, or is it integrated technology where it's readable anywhere? Is it secure technology? There are a lot of unanswered questions. I trust that the minister and the privacy commissioner, Ann Cavoukian, will certainly make sure it meets the very strongest and stringent tests.

Our member for Wellington—Halton Hills, Mr. Arnott, said, "I'm pleased to have this opportunity to respond.... When I got my Canadian passport a couple of years ago, my recollection is that I paid \$75 for it, if I'm not mistaken, and it was for five years. I don't think the minister or the parliamentary assistant has indicated ... how much this ... is going to cost."

He's wondering if the cost of—for instance, I just renewed my driver's licence and I think for two years it was \$150; that's about \$75 a year. There's more and more of this nickelly-pickelly, nickel and dime, into your pocket, another card, you can't go anywhere, don't leave home without it.

I think we need to sit down and rationalize all of these cards. A special committee—we're not doing anything here, really. We're mostly filibustering this bill. There are several bills that I think are kind of being rushed through. Yet look at this; the attendance here is almost scary.

**Mr. Bill Murdoch:** It's the new rule changes that have really brought the people in here.

**Mr. John O'Toole:** I think the new rule changes mean nobody has to come any more. The member for Bruce—Grey—Owen Sound probably has a few things to say on this bill because he has a great north part of Bruce riding; it's wonderful. His favourite area, I think, is the Niagara Escarpment. He just loves that tourist area, the scenic value. He's been a big supporter in many ways—not in all ways; I would not like to impugn motive here. I know he's always had a lot to say about the Niagara Escarpment; we'll put it that way. At the same time, he lives there and he loves it. It's the vistas in Ontario; it's a great place to visit.

In the very few minutes I have left I just want to leave on a reasonably light-hearted note. I've watched with interest the discussions here—question period and that, which will be here in a few moments. The main issue I see is the economy. It isn't all Dalton's fault, but he's not helping very much. One of the main factors within that file is fuel and energy costs; they're going through the roof. For people on fixed incomes, young families, a holiday this summer will be a drive to Canada's Wonderland; they're not going anywhere else. They can't

afford it with the price of gas and the taxes we're paying at our homes, the price of electricity, the air conditioning. It's starting to trouble me.

When I look at the young pages here, we need to leave them with a stronger province, not a weaker province. In that climate, I'm concerned about the tourism implications of Bill 85. But I am somewhat relieved, because there's—

*Interjection.*

**Mr. John O'Toole:** I might go to Peterborough this summer a few times; probably every weekend, really.

I'm reassured because the travel czar of Ontario, Mr. Sorbara, has been given \$8 million—I wish I could travel with him in the limo—to kind of bring up a strategy for tourism. He was a fairly respectful Minister of Finance. I think he's being underutilized over there and I think this is just a free, go-anywhere card. Eight million dollars—I want to see the report. In fact, he should get that report on the table now because the economy is in trouble now. I'd be one who would be right here in this forum. I'm willing to work in a non-partisan, co-operative way to get it right with Mr. Sorbara because I think he's a decent fellow and really does want to find it, but he needs to work with our critic, Mr. Arnott, and he needs to work with all parties—the NDP as well—and find the right answers at the right time for the people of Ontario now. We don't need to wait for 2009 or some flashy announcement in the election in 2011. So let's get down to serious—I'm looking for responses to some of the comments I made. Maybe the parliamentary assistant will clarify the issue of how this card actually helps American citizens who visit Canada. It doesn't, okay? Unless he can refute that, that's what this debate's about. It's not a personal criticism of any sort, but I'm pointing out a few things that could have been done in 2004. It could be smart cards. How much does it cost and how does it help the people whom we want to come into Ontario, not leave Ontario? Thank you for the opportunity.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Gilles Bisson:** The member from Durham raised what I thought was an interesting point, one that I'd not thought of, and that is, why don't we utilize or at least look at the possibility of utilizing this process in order to consolidate a number of pieces of ID on one card? It's not a bad suggestion, and it speaks to what we often, I think, do a disservice to when we do legislation in this House: that you would think that what's really supposed to happen is that we're listening to each other's points of view on a piece of legislation. We send it off to committee, and if somebody's got a decent idea that's doable and manageable, we move forward.

This particular suggestion's not a bad one, because we all have it. You have the health cards, your driver's licence, your Outdoors card and various pieces of ID and cards from the provincial government, and if we're really going to move by the way of smart card technology, that's not a bad idea, quite frankly. All of us, I think, would be very happy to have that much less stuff to carry



around in our very heavy wallets, because we know we're not weighted down by the amount of money in the wallet; we're weighted down by the amount of plastic that we carry in it. Sometimes, the limit on that plastic is a little bit more than we should have.

I think the member makes a good point. I don't know if it's doable. It's one of those things where you'd have to talk to the experts who do this kind of thing. But I think that it's not a bad suggestion.

The other point that he makes in regard to what this really means as far as tourism—yes, I can understand part of the comments that he's making there. But we're in a box, right? At the end of the day, the Americans are going to ban Canadians from going into the United States without proper identification, being a passport, and this legislation, although I don't like the idea, at least gives Ontarians a chance to do something that's a little bit less onerous and a little less expensive than having to purchase a passport every five years. That's the context by which we go into committee, and I look forward to that suggestion being taken seriously.

**Mr. Michael A. Brown:** I just wanted to thank the member for Durham for his speech, and I look forward to having these discussions in the committee that will happen shortly.

**Mr. Bill Murdoch:** I'm glad to be able to comment on the honourable member from Durham, Mr. O'Toole. You turn the television on in the morning and there he is. You turn it off at night and he's the man up there speaking. He's the man of the hour; there's no doubt about it. He does his research so well that almost no one else has to speak here.

I must congratulate the government on their new rule changes. It has enhanced the attendance in this place so greatly. I'm so impressed. There are so many people in here to listen to it. It's just amazing that when they changed these rules, we got so many people in here to listen to anyone who dare speak.

Talking about the card that they're going to come up with that allows us to go to the States—it's something, I guess, coming from this government, but the unfortunate part is that they have no plans over there. We have an economy that's going into the toilet. We have the tourist trade going to go into the toilet next time, and they've done nothing. This little bit of having a new card—now, my wallet will be heavier again because we already have a whole lot of cards in our wallet. Sure, there's some way that they can combine a new card with our health card or our driver's licence card, something like that. But here will be another card, and this is all that they can come up with. I guess, if you own a plastic factory, you may make some money now because they're going to make a bunch of new cards. But that's about all they're doing. It's unfortunate that they have no idea of what is happening in the economy, what is happening in tourism. At least over here we come up with an idea to help out the tourist industry. But no, they couldn't do it. They just have no idea. They're on a cloud, and they're floating along.

After their four years of inability, now they're floating along, hoping they can float through four more years.

1040

**Mr. Wayne Arthurs:** I won't take too long. I appreciated the comments from the member for Durham. I know he has two minutes to wrap up. I hope he'll take that little bit of time to tell us a little more about the Anne of Green Gables festival. I presume it's going to include the homestead of Lucy Maud Montgomery as part of that tour. I particularly appreciated his comments, about half-way through his speech, on a bill that he's supporting at second reading that he was using the opportunity to filibuster.

**The Acting Speaker (Mr. Ted Arnott):** The member for Durham has two minutes to reply.

**Mr. John O'Toole:** I want to thank, in sort of reverse order here, the member for Pickering-Scarborough East. Yes, the Lucy Maud Montgomery homestead in Leaskdale will be available this weekend. In fact, it will be featured this summer at the Toronto CNE. So it is a significant event for all Canadians. We should be very proud and share the heritage. We each have those stories. This is one story in my area.

The member for Bruce-Grey-Owen Sound is always entertaining and direct. But I think he was true when he talked about the number of cards. It's like, pick a card. Those are all Ontario cards, right here. I don't want to show them because of the privacy issues. But if you had a smart, secured card, I think we'd be on the right track.

The member for Algoma-Manitoulin: I look forward to committee hearings on this bill; again, another bill that has unanimous consent. We could go to committee of the whole and solve this right here, right now, today, and have everybody involved in that debate. That's the way we should be doing things here. It's just a process, but we all agree with the objective. There's no question about it.

The member for Timmins-James Bay made the most non-partisan comment with respect to listening to each other's ideas. It's an extremely positive and productive thing to do, not just for the young people here but for those viewing. That's how they want Ontario to serve them: They want their elected members to work co-operatively to do the right thing.

There are several bills—the Pesticides Act, as well as the cruelty to animals bill and the speed limiters. Most of these bills are kind of neutral bills. We want to get them right. We don't want to have them tested in the courts, as we are now. The street racing bill was hastily drafted, and it's being challenged in the courts.

We need to work together in this forum. We don't have to slip off to some committee. Half the days, the House is not utilizing the full time correctly.

**Mr. Frank Klees:** On a point of order, Mr. Speaker: I feel that I must point out that when the member for Bruce-Grey-Owen Sound referred to the large number of people here, it was really his attempt at sarcasm. It shouldn't be misunderstood.



**The Acting Speaker (Mr. Ted Arnott):** I don't believe that was a point of order, but I appreciate the information.

Further debate.

**Mr. Paul Miller:** We are hoping to continue debate on this matter. It's obviously of great importance, and we do not want to end debate on it. We're looking forward, after question period, to continuing this at the next convenient time. I'm sure we're now close to the moment for question period.

**Mr. Michael A. Brown:** I appreciate the intervention and look forward to taking this bill to committee at the earliest possible time.

*Second reading debate deemed adjourned.*

**The Speaker (Hon. Steve Peters):** It being almost 10:45, this debate stands adjourned.

## INTRODUCTION OF VISITORS

**The Speaker (Hon. Steve Peters):** Good morning, members and our guests.

On behalf of the member for Hamilton Centre, in the west members' gallery, I'd like to welcome members of Canadians for Properly Built Homes: Mary McAllister-Diks; Karen Somerville; Brigitte and Terry Mark, and daughter Amanda; Alan and Cindy Griesse; Bruno Pisani and his son, Sam Pisani; Joe West; Avi Dan; Christine Ballard; and Nora Herridge.

On behalf of the member for Kingston and The Islands, a group of grades 7 to 12 students who recently participated in the Canada-Wide Science Fair in Ottawa are here for the Sci-Tech Ontario celebratory event to recognize their achievement and promote science among youth. Members can visit them today in committee room 228-229, starting at 4 p.m.

On behalf of the member for Toronto-Danforth, in the west members' gallery: Chantal Sundaram, Saima Mohammad, Beenish Gaya and Mariya Asrar.

On behalf of the member for Sarnia-Lambton, in the west members' gallery: Christopher Chopcian and his dad, Michael Chopcian, are here as well with the Sci-Tech group today.

On behalf of the member for Richmond Hill, in recognition of Brain Injury Awareness Month, in the east members' gallery: Kent Basset-Spiers, Corinne Kagan, John Kumpf, Hedy Chandler, Teri Czajka, Judy Moir, Angela Colantonio, April Ferguson, Jan Fisher, Maria Hundek, David Hundek, Robert Stephens, Rachel Sa, Mariana Perez, Cindy Bailey and Travis Bailey.

On behalf of page Chris Rayment, I'd like to welcome in the west public gallery his father, Ian Rayment.

On behalf of the member for Newmarket-Aurora, I'd like to welcome, in the west members' gallery, Robin and Diana McComb.

## ORAL QUESTIONS

### AUTOMOTIVE INDUSTRY

**Mr. Robert W. Runciman:** To the Minister of Economic Development, who is gradually getting to her seat: It's about your government's flawed auto investment strategy. Despite the spin the government tried to put on last week's announcement of the Oshawa truck plant closure, it's quite clear that they failed to get a firm jobs guarantee when they handed out two hundred thirty-five million tax dollars to General Motors. A month ago, when GM first announced job cuts at the truck plant, they also said they were looking for another \$140 million in government funding for Oshawa and St. Catharines.

In the wake of GM's cuts of 2,600 jobs in Ontario, what decision have you made with respect to their latest request for more money?

**Hon. Sandra Pupatello:** I think it's important to note that the Next Generation of Jobs Fund was announced this year in an effort for us to reach out not just to the automotive sector but to many sectors, to look at the next generation of products that can be made right here in Ontario, for sale around the world. It is a program that incorporates our climate change agenda, looking at green, clean energy efficiency, higher levels of productivity, innovation, higher levels of innovative technologies; that's the Next Generation of Jobs Fund.

We do have companies that are applying to this program. We know that General Motors has made it public that they too have been interested in this program for the future of product and activity at General Motors. The Premier made it very clear again yesterday in this House that we are very much in favour of working with our automotive sector partners to see that future investment comes to Ontario.

**Mr. Robert W. Runciman:** I'm not sure from that answer if there has been an application from GM in a formal way or not. The minister said about a month ago that there was a 45-day window on GM's request—so, 15 days and counting.

I hope the minister appreciates that Ontario taxpayers, and GM workers in particular, are going to be paying close attention to what you do when another automaker comes looking for a partner. In fact, a Nanos poll released today shows that almost half of Ontarians oppose the government's financial support of the auto sector. I think that's understandable. They want to know they're getting value for their tax dollars.

Minister, will you commit today to making a clear-cut and firm jobs guarantee one of the conditions to GM if indeed they do formalize that request for one hundred and forty million tax dollars?

1050

**Hon. Sandra Pupatello:** I think it's important to note that we expect that all members of this House will be supportive of companies coming forward to invest with us as partners in Ontario. We hope that the Next Generation of Jobs Fund will be a huge success.



Let me just quote someone who is quite well known right here in the House: "I think in the auto sector, especially with the rapidly advancing technology in the auto sector and what we see with energy prices, getting involved in the investment side of new technology and innovation I think is an appropriate role for government." That was Bob Runciman, June 5 of this year.

**Mr. Robert W. Runciman:** I don't see anything contradictory in that quote.

Minister, Ontarians want and—I think you would agree, or should agree—deserve transparency, particularly when it comes to handing out half of a billion tax dollars to auto makers. If you're not going to be straight with taxpayers about what this money is going to achieve for them, why not? In the past, you've said you won't release the details in these contracts. I want to ask you: Will you make a clear and unequivocal commitment here today to getting a jobs guarantee from General Motors and any other auto maker on a funding request that comes forward in the future?

**Hon. Sandra Pupatello:** I think it has been very clear—over the last several weeks, which have been difficult weeks, the workers at General Motors have worried very much about their future, and we too on this side of the House are worried and want the very best for the workers who work at General Motors and their families.

General Motors itself, as a company, made it very clear that their latest announcement regarding the truck plant may affect the contract and may put them in a position to have to repay the loan that included job commitments. They made that clear themselves. It's very apparent to the people of Ontario that there were commitments that General Motors made to the government of Ontario and that they will live up to that agreement, as will the government of Ontario.

#### INFECTIOUS DISEASE CONTROL

**Mrs. Elizabeth Witmer:** My question is for the Minister of Health. Despite our repeated calls over several weeks now for an inquiry and also an immediate review investigation into what we know to be at least 260 deaths related to C. difficile—and that's just in seven hospitals—you have rejected those calls.

You have said that you've conducted three separate reviews into this very lethal killer. This is a new strain, as you know. Minister, can you explain why, after three separate reviews, you did not make C. difficile a reportable infection during the last four years?

**Hon. George Smitherman:** I want to thank the honourable member for acknowledging that there is a broad array of information available that allows us the benefit of taking action. The Provincial Infectious Diseases Advisory Committee has been one of those parties involved in offering advice to the ministry with respect to reporting or not reporting C. difficile.

On this matter of inquiry, our point would be that the coroner has said that the matter has been investigated at

the Soo hospital, which gave us good advice about steps forward, alongside the work that Dr. Gardam has done, and that it's more appropriate that we ask Dr. Baker to focus on instituting this broad array of patient safety reporting, which will be initiated on September 30 of this year and will provide a variety of substantial new information to the public about patient safety indicators in all of our hospital environments.

**Mrs. Elizabeth Witmer:** It's very interesting that the minister references Dr. Baker, because Dr. Baker has twice now advised the minister to start public reporting. He did so in June 2007 and again in February 2008.

This minister has said on many occasions that it's up to the hospitals. The reality is that it isn't the hospitals that have the authority to mandate public reporting; it is the minister—not the hospitals, not the health care workers, not the experts. But you have refused, despite the mounting evidence since 2004, to mandate this.

I ask you today: Why did you not demonstrate leadership and ask for this to happen during the past four years? Why have you waited—

**The Speaker (Hon. Steve Peters):** Thank you, member. Minister.

**Hon. George Smitherman:** The honourable member should be able to see right in the action itself that we are following the advice of Dr. Baker. To mention that the first letter that Dr. Baker sent was at the point contradicted by the Provincial Infectious Diseases Advisory Committee—there was no consensus from the clinicians about what was most appropriate with respect to reporting. But it's somewhat of a separate matter.

The honourable member wants to make people believe that public reporting is the thing that's responsible for people working in the environment to take the appropriate precautions and to wash their hands or to take the appropriate steps as administrators in hospitals to ensure that steps are being taken to clean them as appropriate. The point is, that's an element of the arsenal that we add to all of those steps that have been taken prior. It's not a one-off; it's not singular. It's about further progress on the issue of controlling the spread of superbugs in the hospital environment, around which much is known and much responsibility borne and much action taken already.

**Mrs. Elizabeth Witmer:** Certainly, the actions of this minister stand in very stark contrast to the actions of the minister in Northern Ireland, who, earlier this year, when he discovered that 51 people had died from C. difficile, immediately got on the job and set up an expert panel to do a comprehensive three-month review. I say to you today: Reporting is important, because at least it would have made us aware of the extent of the problem, which we don't know about today. And do you know what? If you take a look at the 260 people who have died from C. difficile, if you take a look at what happened at Joe Brant, where the CEO said that the only information he ever received about the C. difficile outbreaks was through the media, you ask yourself the question: How many lives could have been saved if you had taken



control and asked for mandatory reporting? So I ask you today: Why did you not do your job, as the minister in Northern Ireland—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. George Smitherman:** It seems that it's the honourable member herself who only now has awakened to the reality of C. difficile. It seems that it's only in the last month or so that the honourable member has been aware of this issue, but that's not the circumstance for hospitals. If a CEO of a hospital has said that, he stands in contradiction to a wide variety of initiatives that have been undertaken by the ministry, by the Provincial Infectious Diseases Advisory Committee and indeed by the Ontario Hospital Association.

This situation is a well-known challenge in health care. It's not something that has arisen only of late, and that's why: because of the investigations that have been done, as an example, by the coroner, who themselves have concluded that further investigation is not what's necessary, but rather taking our actions to the next level, which is instituting, on behalf of the public, this wide variety of new patient safety indicators, which will be initiated on September 30 by Dr. Baker, acknowledged by the honourable member to be a leader in this field.

#### AUTOMOTIVE INDUSTRY

**Mr. Howard Hampton:** My question is for the Deputy Premier. Over the last week or so, we have learned that the McGuinty government gave General Motors \$235 million of the people's money. General Motors was supposed to sustain jobs in Oshawa with that money. Instead, 2,600 workers at the truck plant are losing their jobs. But today we learn that there are more layoffs, that in fact close to 100 workers in General Motors's regional engineering centre in Oshawa have been given their layoff notices and were immediately escorted off the property yesterday. These are highly skilled engineers and technicians; the so-called \$235-million Beacon funding was supposed to sustain their jobs and sustain their projects.

Can the Deputy Premier tell us why the very engineers and technicians who were supposed to be at the core of the \$235-million cheque are now also being laid off?

**Hon. George Smitherman:** To the Minister of Economic Development and Trade.

**Hon. Sandra Pupatello:** I think it was said very clearly by General Motors on day one of this announcement several days ago: They recognized their relationship with the Ontario government through this contract meant that with this announcement, they may be putting themselves in a position to prepay loans that were made payable to them under our OAIS program. We understand that. We are working with General Motors to determine, if in fact that will happen, when that will happen. There were markers laid out in that contract, as General Motors has acknowledged. We're hoping that as these world changes happen to the automotive sector, and

as these challenges are being addressed by the many companies that have made investments in Ontario, the likes of which we have not seen in any other jurisdiction in North America—we want our companies to be strong. This side of the House is planning to work with our automotive companies so they will be strong again.

1100

**Mr. Howard Hampton:** The McGuinty government talks about corporations and their close friendship. I want to know about jobs. I want to know about all the workers who are losing their jobs.

I happen to have the photo op from the Premier's announcement on March 2, 2005—you know, the photo op that the Premier often holds, promises this and that, and then it turns out to be false. This was what was said at that photo op: The Beacon project, as it's called, aims to strengthen automotive engineering and manufacturing capabilities as well as research and development and commercialization in order to build the auto sector of tomorrow.

Well, the very engineers who were talked about in your photo op are now being ushered out the door—the very engineers who have done so much of the research work, who designed this hybrid-powered half-ton which is now going to be manufactured in Mexico.

I ask again, how could you let this happen?

**Hon. Sandra Pupatello:** I think if there has ever been a government in Ontario that has been supportive of the automotive sector, this frankly is the government. This is the government that's prepared to stand behind the automotive sector, which for many decades has fed the nation, because we know how vital it is to our manufacturing sector. We are prepared to work with that sector to see that it stays strong well into the future.

We know right now they are facing challenges, and General Motors in particular is facing challenges that we want them to get through. That means that in this day and age, when we have to compete with other jurisdictions, the Ontario government has to be at the table, as do our federal counterparts. We think that perhaps some of them may have seen the light lately. We hope that may be true.

We know that our automotive sector will be strong again, and it will be because of the significant investments that have been made in Ontario over these last three years as a result of the OAIS—

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary.

**Mr. Howard Hampton:** I think I heard what the minister had to say. I don't think she mentioned workers once in her response. I want to tell you about these workers. Not only do these workers do the engineering, design and development—

**The Speaker (Hon. Steve Peters):** Stop the clock. Sergeant-at-Arms, would you please collect the prop that the member from Renfrew has? Can I see the back of that, please?

Leader of the third party.

**Mr. Howard Hampton:** Not only did these workers do the engineering, the design and the development of



the hybrid-powered Sierra half-ton, which is now going to be built in Mexico, but they also did the engineering and design of the Chevy Equinox and the GM Torrent. They were involved in the design and initial construction of the innovative wind tunnel at the Ontario Institute of Technology. These are the very kinds of high-level engineering and design jobs that were supposed to be sustained and added to by your \$235-million cheque to General Motors. I see how General Motors has got the \$235 million, but I ask again, why are so many of these talented, experienced, knowledgeable workers going out the door under the McGuinty government?

**Hon. Sandra Pupatello:** The member opposite purports to be supporting workers. I ask the member, have you checked with the leader of the CAW about his opinion of the provincial government and our participation in landing investment in Ontario? The member opposite doesn't seem to be on the same page with the one leader who is acknowledged by most—CEOs of the auto sector included—as one of the most modern union leaders in the western world.

In contrast to the federal government's inaction, the Ontario government has been doing its best to support auto investment and employment. That's real jobs. "Without provincial support, including its participation in GM's Beacon project, the situation facing the industry today would be far, far worse." Who said that? Buzz Hargrove, the leader of the CAW.

### SKILLS TRAINING

**Mr. Howard Hampton:** To the Deputy Premier again: I take it that the McGuinty government is okay with these engineering jobs going to Warren, Michigan, and not staying in Oshawa.

But my question is to the Deputy Premier: Yesterday we learned that almost 10,000 laid-off forestry workers in northern Ontario will not be eligible for this government's much-boasted-about Second Career retraining program. That's on top of the 175,000 laid-off manufacturing workers who lost their jobs before June 1, 2007. We see how the government has bungled its \$235 million to General Motors with all the workers being laid off, but I ask again: How can the government promote a so-called retraining strategy that leaves 10,000 workers out in northern Ontario and 175,000 manufacturing workers out elsewhere?

**Hon. George Smitherman:** To the Minister of Training, Colleges and Universities.

**Hon. John Milloy:** Once again the question from the leader of the third party is mischievous. The workers of northern Ontario have not been left out of this province's employment supports program. Under Employment Ontario, we invest over \$1 billion a year to help 900,000 laid-off workers, including those in northern Ontario. Supports range from everything from resumé writing to job counselling, all the way to short-term training. Several days ago, we announced through the second-career strategy, in addition to that, longer-term training for

workers who have been recently laid off—laid off in the last year or those who will be laid off, if that happens, in coming weeks. It's wrong for him to stand up today and to suggest that supports are not available to workers across the province. The second-career strategy is available to recently laid-off workers in any part of this province, and for him to stand up and be so mischievous is a misfortune for those workers who are looking for supports from the province.

**Mr. Howard Hampton:** Apparently it's creating mischief when you ask questions about government programs that don't help laid-off workers. At least the minister now admits that the much-boasted-about second-career program isn't going to help workers laid off before June 1, 2007. But what he also needs to know is that this other program that he refers to, the Ontario skills development program, is also only available to workers who are receiving employment insurance. Most workers who were laid off before June 1, 2007, have exhausted their employment insurance, so they can't get second careers and they can't get the Ontario skills development program.

I ask again: How could the McGuinty government design and promote and boast about a job retraining program that isn't available to most of the hard-pressed laid-off workers in Ontario?

**Hon. John Milloy:** This is quite frankly outrageous. In Ontario, we invest \$1 billion a year in terms of support for laid-off workers. As of January 1, 2007, federal programs were transferred to the province, and we began an integrated service known as Employment Ontario.

When we have word of a layoff, within one hour we are in contact with the factory or workplace that is affected. We work with the employer and we work with the union, we work with the workers and the community to make sure that we have an action plan to get those workers back to work. In northern Ontario, in many instances, we have established job action centres which work with the workers in the workplace to make sure that they get the supports they need. Right now, we have centres in White River, Dubreuilville, Wawa, Red Rock, Thunder Bay, Atikokan, Nipigon, Mattawa, Greenstone, Dryden and Kenora, all part of the investments that this government is—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Final supplementary?

**Mr. Howard Hampton:** The minister is right about one thing: This is certainly outrageous. The so-called retraining program that you promote, second career, isn't available to those workers laid off before June 1, 2007. I'll tell you: The longer you've been laid off, the longer you've been unemployed, the harder it is to get back into the workforce. So they're not eligible for that.

1110

Yesterday you stood here and said that they were eligible for another program, but they're not. In order to be eligible for the other program, they have to be receiving employment insurance benefits. They're not re-



ceiving employment insurance benefits; most of them have exhausted their employment insurance benefits.

The McGuinty government is so good at photo ops. You're so good at doing announcements. I ask again, what is supposed to happen to those 185,000 laid-off workers who aren't eligible for your much-boasted-about job retraining programs? What are they supposed to do?

**Hon. John Milloy:** Every year the government of Ontario invests \$1 billion in support for laid-off workers across this province. We support workers who are eligible for employment insurance; we support workers who are not eligible for employment insurance. We have a range of services which are offered through the Employment Ontario network and we have set up action centres in factories and communities where there have been layoffs to work with workers and get them back into the workforce as quickly as possible.

I think the results speak for themselves. Since coming to office, 450,000 jobs have been created in this community, and most recently we've added to our suite of services through the second-career strategy, which will be a service available to recently laid-off workers whether they are eligible for employment insurance or not.

Once again, we are working to support workers in the province of Ontario, and it is mischievous for the honourable member to stand up and claim that these programs and services are not available.

### HOG INDUSTRY

**Mr. Ernie Hardeman:** My question is to the Minister of Agriculture, Food and Rural Affairs. As you know, in February the federal government launched a program to shrink the nation's hog herd. To qualify, the pigs sent for slaughter must be perfectly healthy. When questioned, a spokesman in your office said that the Ontario Independent Meat Processors, Ontario Pork and the Ontario Association of Food Banks approached you about processing these pigs to feed those in need as soon as the program was announced. Minister, that would have been in February. Why did you wait until the Toronto Star started asking questions before you did anything?

**Hon. Leona Dombrowsky:** I would say that it's very important that I have this opportunity today to correct the honourable member. When the article appeared in the Toronto Star, when I was interviewed by the reporter, I was able to say that indeed we have been working with industry partners. We said that we would very much want to participate in the effort to direct what meat is appropriately directed to food banks for food consumption. We asked them to assist us to put a plan together and to come to us with what they believed the cost would be, and when they did that we provided \$110,000 to achieve that end. We believe that we have acted responsibly. We have—

*Interjection.*

**Hon. Leona Dombrowsky:** The member from Renfrew-Nipissing-Pembroke says we've done nothing. If he's suggesting that providing \$110,000—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary.

**Mr. Ernie Hardeman:** The province of Alberta put in \$330,000, the province of Saskatchewan put in \$440,000, and that was when the program started. In the time it took you to organize, to get this plan in place, to announce \$100,000, some 2,500 surplus pigs were slaughtered that could have gone to the people in need, to the food banks and food kitchens. Instead of pork being fed to pets, people in need could have been eating great Ontario pork. Greg Haskett, a pork farmer in my riding, said, "Putting animals into the pet food chain or fertilizer or meat and bone meal goes against all the principles of a farmer."

Minister, if other provinces could respond quickly enough to process all the pigs for the food banks, why couldn't you?

**Hon. Leona Dombrowsky:** I believe our response has been the responsible response. We didn't just simply identify an amount of money. We asked the partners who would be involved in the cull, as well as the partners at the food bank, what they would need. They were very happy to take that task and they came back to this government and said, "We need \$110,000."

I would like to offer the honourable member this remark that has come to us through the Ontario Independent Meat Processors. The processors indicate that they appreciate the efforts of myself in securing financial support to allow as much as 40,000 metric tonnes of culled sow meat to be processed and sent to food banks. What we do know is that the dollars that have been provided will ensure that some—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### CONSUMER PROTECTION

**Ms. Andrea Horwath:** My question is for the Minister of Government and Consumer Services, and it's a pretty basic one. Who does the minister actually have in place to cut through the bureaucratic runaround at Tarion to ensure quicker compensation and better satisfaction to new homeowners who have been victimized by shoddy home builders?

**Hon. Ted McMeekin:** I'm pleased to respond to the question opposite and to just share quickly some of the things that Tarion and our ministry have done over the last couple of years to enhance the relationship. We've doubled the total compensation payable for warranty claims from \$150,000 to \$300,000. A homeowners' survey, an independent survey, was done, and 87% of the homeowners surveyed thought that the results of Tarion's service were very good. I know that there are some political leaders in this House who would take 85% in a minute for their satisfaction. But I'm pleased to announce today that in consultation with Tarion over several months, we can announce today that we will assist Tarion in setting up an independent in-house consumer advocate to handle—



**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary?

**Ms. Andrea Horwath:** The minister weaves a really good tale, but the Canadians for Properly Built Homes are here today and they have the real story. When a family dream home becomes a nightmare because of shoddy building practices, Tarion has failed to deliver, and it's accountable to no one, not even this minister.

Will the minister today commit to Ombudsman oversight of Tarion to bring real accountability—not in-house accountability, real accountability—and real solutions regarding the systemic problems experienced by Ontario's new-home-buying public?

**Hon. Ted McMeekin:** As you know, Tarion is a private, not-for-profit corporation that administers the act.

*Interjection.*

**Hon. Ted McMeekin:** Well, that's another question. But I just want to go back to our conversations with Tarion. I made, back in early March, some seven requests of the Tarion corporation. We've been in some serious discussions with them about how to enhance the service to get the 87% satisfaction rating even higher, and we will be working with them to set up the independent in-house consumer advocate. This is a huge step forward towards greater accountability and will give new home buyers the satisfaction of knowing that their concerns will be listened to even more intently.

I would just add that the Consumers Council of Canada report recently said that the Tarion program was the best home warranty program in the country.

## RESEARCH AND INNOVATION

**Ms. Leeanna Pendergast:** My question is for the Minister of Research and Innovation. Preston Manning has suggested that "any and all MPs, especially newly elected ones"—and I would think MPPs—"should acquaint themselves with the impressive work being done to engage youth through Let's Talk Science and the Canada-Wide Science Fair, organized by the Youth Science Foundation Canada."

I'm proud of students from my riding, Devin Howard, with his project You Are Not a Beautiful and Unique Snowflake, and Mackenzie Carter, with her project, the Coanda Conundrum, who, as a result of winning awards at the Kitchener-Waterloo Science Fair, were able to go and compete at this year's Canada-Wide Science Fair.

Also with us in the House today is Daniel Burd, a Kitchener-Waterloo Science Fair award winner and platinum award winner for his project Plastic Not Fantastic, isolating micro-organisms that can break down plastic.

The government has a role to play in engaging youth in science—

**The Speaker (Hon. Steve Peters):** Thank you. Minister of Research and Innovation.

**Hon. John Wilkinson:** I want to thank the member for the question. I want to assure her that we too are proud of Devin, Mackenzie and Daniel, who are visiting

today. Our economic future depends on our ability to engage our youth in the wonders of science and technology. I want to encourage all members to visit the Sci-Tech Ontario awards presentation, which will be in rooms 228 and 230 later on this afternoon. I want to thank the Minister of the Environment, our colleague, for sponsoring that today.

1120

Our government and our partners are working together to increase the level of awareness of our young people in the key role played by science. In recognition of that, my ministry is sporting Youth Science Foundation Canada and the work of Sci-Tech Ontario with an investment of some \$3.5 million, and an additional investment of some \$1.5 million to Let's Talk Science.

I want to quote our friend Mike Lazaridis, chairman of RIM: "We need to change our culture so that science and technology are seen to be the 'in' thing."

**Ms. Leeanna Pendergast:** Canadian astronaut Roberta Bondar has said that as a result of her encounter with the Ontario science fair—she participated in the science fair and it was an experience that ultimately defined her life.

Last week I had the pleasure of joining Mike Lazaridis, where it was announced that he donated an additional \$50 million to the Perimeter Institute in Waterloo, on top of the \$100 million he donated in 2000, for a total of \$150 million. The Perimeter Institute began in the summer of 1999 when Mike Lazaridis, founder and co-CEO of Research in Motion, maker of the successful BlackBerry, found himself in a position to foster research and innovation in Ontario. Yesterday afternoon, I attended a dedication to the Mike and Ophelia Lazaridis Institute for Quantum Computing where the Premier announced nearly \$18 million in funding.

Would the minister please explain what his ministry is doing to foster research and innovation so that the next generation of youth can, as Roberta Bondar did, reach—

**The Speaker (Hon. Steve Peters):** Thank you. Minister.

**Hon. John Wilkinson:** Our ministry has committed some \$3 billion over an eight-year period for research and innovation. Mike Lazaridis believes, and I agree with him, that to invest in fundamental research is to invest in the development of knowledge that can have staggering long-term societal and economic benefits.

Ontario has invested some \$151 million in world-leading experimental and theoretical physics research, both at the Institute for Quantum Computing and the Perimeter Institute in Waterloo. Scientists believe that this technology will aid many discoveries, such as unbreakable cryptography, unparalleled high-precision measurement devices, computers with mind-boggling power, and a better understanding of the microscopic world. These will be the jobs of the future for our children and grandchildren.

I would hope that all members would join me in expressing our personal appreciation of the amazing gen-



erosity of Mike and Ophelia Lazaridis and the \$150 million—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### SCHOOL TRUSTEES

**Mrs. Joyce Savoline:** To the Deputy Premier: The minister yesterday stated that checks and balances are in place and, “Public dollars are spent in the public interest and for the benefit of our students.” She also stated that the Toronto Catholic District School Board trustee situation is “a cautionary tale.”

TCDSB spending has increased by 167.5% since we were in office. The \$67,000-a-year increase per trustee is not a cautionary tale, it is more than the average Ontarian makes. Clearly, your government has lost sight of the average Ontarian. Why did the Minister of Education allow increase after increase to proceed unchecked under your watch?

**Hon. George Smitherman:** It seems the honourable member has herself confirmed that our government has been dedicating ourselves to enhancing the capacity of our education system in the province of Ontario. That’s why test scores are up. That’s why more students are graduating. That’s why there are more books in our libraries. That’s why there are 9,640 more teachers.

When information arises about circumstances that are unsettling to people, when trustees are saying perhaps this is the way to get to the bottom of it, when the heads of parent groups are saying it’s necessary to take these steps, that’s when we conclude that this is an appropriate measure to protect every dollar, to ensure that it’s allocated and making a difference for the children, and that’s what this initiative is all about. The honourable member knows that very well.

**Mrs. Joyce Savoline:** Let me make it clear to the Deputy Premier that the 167.5% was an increase in expenses for trustees, not for school programs. The minister’s failure to establish priorities and take action in advance of this public outcry has made it acceptable for trustees to demand increases in gas funding under the threat of classroom cuts. Seven boards are now suddenly under the microscope, and despite her former colleague’s attempts to switch the focus from her inaction, we are not going to take that bait. So the minister should put her house in order so we can focus on the real needs of students and ensuring that people like school bus operators are able to keep pace were the rising cost of fuel. Deputy Premier, why has your government allowed these increases in trustee expenses to increase unchecked for four—

**The Speaker (Hon. Steve Peters):** Thank you.

**Hon. George Smitherman:** We sure did see the dedication to the real needs of students embedded into the policy platform of that party and that member in the last provincial election. The people of the province of Ontario know that this is a government that dedicates itself to the

purposes of enhancing the performance of our schools. We put serious money out there to back it up.

But on the matter of expenses, before 2006 there were no guidelines at all for school trustees with respect to expenses. So we brought in the guidelines. Through the actions that we have taken, that we do not apologize for—with respect to the Toronto Catholic District School Board, we will take action on behalf of these students to ensure that the dollars allocated get to the place where they are most desired and most purposeful. We’ve made progress on behalf of these students, something that stands in sharp contrast to all the actions of that honourable member and her party.

### CORRECTIONAL SERVICES

**Mr. Peter Tabuns:** To the minister of corrections: Last week, I asked the minister twice about the cruel treatment of Fahim Ahmad, Zakaria Amara and Mohammed Dirie, who have languished in solitary confinement for over two years. You told me, you told this House that they have “the right to daily ... exercise.” Their family says they have not been out for exercise for over two months. You told this House that they had the right to reading materials from the library. The family says they have not had access since last September. I’m told that Zakaria Amara has had an untreated toothache for over two months.

Will you act as a minister, will you protect prisoners, will you make sure that minimum standards are met and that they are moved out of segregation?

**Hon. Rick Bartolucci:** Inmates who are placed in segregation are entitled under law to just and humane treatment and receive specific services and activities. That includes, and let me repeat: the right to daily outdoor exercise; access to legal counsel, services and materials; access to clergy and spiritual advisers; visitation with family members, relatives and friends; access to correspondence and telephone services; access to library materials, institutional programs and the opportunity to buy items from the institutional canteen with personal funds.

**Mr. Peter Tabuns:** So, if you are the minister, why are you not enforcing those rights? Why are you abandoning those men? Why are you not meeting the standards set by Corrections Canada and the United Nations? Why are you not representing those rights? Have you abandoned your responsibilities as minister?

**Hon. Rick Bartolucci:** Listen, the member opposite knows full well we’re not going to comment on specific cases that are before the courts, because we’re not allowed to do that. He knows that full well. But we have very high standards to ensure the safe care, custody and control of all inmates. They have those rights. Those rights are theirs to use. I am very, very confident that the correctional services people are very much aware of the rights of inmates and grant them those rights.



## CONSUMER PROTECTION

**Mr. David Zimmer:** My question is for the Minister of Government and Consumer Services. Purchasing a house or a condo is one of the most important financial decisions Ontarians make. My riding in Willowdale attracts many new condo owners and home buyers, especially along the Yonge-Sheppard corridor in the Bayview Village area. Purchasing a house or a condo is a complex process. Ontarians rely on real estate agents, real estate brokers, lawyers, friends and family for advice and guidance.

Nevertheless, real estate fraud is a huge issue. I'm especially concerned about the act of so-called phantom offers, which cheat hard-working and honest Ontarians out of a fair chance at home ownership. I'm also concerned about grow ops. I'm concerned that home buyers aren't getting the information they need about whether their purchase might have serious risks associated with it. What are you doing about this situation?

1130

**Hon. Ted McMeekin:** I want to thank the member from Willowdale for his question. The practice of phantom offers is a breach of the code of ethics under the Real Estate and Business Brokers Act. Any broker or salesperson caught can be fined up to \$50,000. Any person with knowledge of a phantom offer should contact our ministry's consumer protection branch.

On the issue of grow-ops specifically, a real estate agent failing to disclose that a property was a grow house is also in breach of the code of ethics and is subject to administrative fees and possible licence revocation. In addition, the Law Enforcement and Forfeited Property Management Statute Law Amendment Act addresses the proliferation of indoor marijuana grow-ops and mandates additional requirements by municipal officials.

**Mr. David Zimmer:** Recently there have been several high-profile stories about families almost losing their homes because of real estate fraud. It's tragic to hear about families threatened with losing their home because of title fraud, falsified mortgages or other types of real estate fraud. This is a serious matter. It's incomprehensible that a family could lose its home even if they've lived there for years and years, and even if the mortgage has been paid, if title fraud occurs, and even if the mortgage was obtained with false ID. I also have great concerns about what we're doing to protect homeowners from losing their homes from fraud associated with these kinds of activities. What are we doing specifically to protect Ontario families from real estate fraud?

**Hon. Ted McMeekin:** The member opposite is right. It is a serious matter, and I want to be clear: Our government will not tolerate real estate fraud in Ontario. Our Consumer Protection and Service Modernization Act ensures that ownership of a property cannot—I repeat, cannot—be lost as a result of the registration of a falsified mortgage, fraudulent sale or a counterfeit power of attorney. It also implements a streamlined and expedited land titles assurance fund and provides additional

safeguards through fines and suspensions—fines which, by the way, have been increased from \$1,000 to \$50,000. We have new rules, we have stronger standards and, most importantly, we have a ministry that is committed to working with our stakeholders to consider additional measures to fight real estate fraud.

## ELECTRICITY SUPPLY

**Mr. Frank Klees:** My question is to the Minister of Energy and it relates to the Ontario Power Authority's proposal for a new gas-fired power plant in northern York region. I've expressed my concern regarding the process to the minister. I wrote him a letter not too long ago. Specifically, my concern is that it all started off well. There was a working group that was constituted; there were some 25 members involved in that working group. The result was a consensus conclusion regarding the size of that plant of between 60 and 100 megawatts.

Last Thursday, the Ontario Power Authority released an RFP for 350 megawatts of power. There's a serious disconnect between the conclusions of the working group and the RFP. I would ask if the minister could explain the reason for that rather large discrepancy between the working group's conclusion and the RFP issued by the Ontario Power Authority.

**Hon. Gerry Phillips:** I appreciate the letter from the member, and I might say that I've had advice from three different members in the area there. I do appreciate it. I did meet with the organization called the Ontario Power Authority, which has the responsibility for this, and I indicated the concern of three of our members about communication and the need for a better public awareness of the plans. I had suggestions from all three.

What the OPA is suggesting—and I agree with it—is that they, along with an organization called the IESO, the Independent Electricity System Operator, are going to hold public meetings in each of the communities there to provide a more fulsome explanation of the need for the power that I hope will be helpful to your community.

I think that is the next step, I say to the member. I'm satisfied that the need exists there and I'm satisfied that they're going to take the appropriate steps to give the community an opportunity to—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Frank Klees:** We welcome that additional initiative on the part of the minister to direct those information sessions to take place. I would ask the minister to consider, however, to direct the Ontario Power Authority to invite specifically the members of that original working group, which had representatives from municipalities—they represented citizens—as well as representatives from the industry. These are individuals who have memory of the process that was in place and would also be able to ask specific questions relating to that process and the rationale. Will the minister then ensure that the members of that original working group are invited to these



information sessions so that the knowledge they have can in fact be brought to bear in those information sessions?

**Hon. Gerry Phillips:** It seems like a reasonable suggestion, and I will make the suggestion to the OPA.

I'd just say to all of us that the most effective way of dealing with these challenges is conservation, and that's where we started up there. I would say to the member for Newmarket–Aurora that the Newmarket utility is one of our leaders in Ontario in conservation efforts, so I just wanted to salute them for the work they're doing there. I appreciate the advice from all three of our members from the area. I'm satisfied that we have a significant demand there. I think the demand is growing at four times the average for the province up there; it's a very dynamic community. The Ontario Power Authority's job is to ensure that people understand the rationale and they feel comfortable with the background for that. I'm satisfied that that process will take place.

### SOCIAL ASSISTANCE

**M<sup>me</sup> France G  linas:** Ma question est pour la ministre des Services    l'enfance    la jeunesse—children and youth. In March of this year, the Manitoulin-Sudbury District Social Services Administration Board, better known as DSSAB, wrote to the Premier asking that the government not eliminate the back-to-school and winter clothing allowances for Ontario children. To the Manitoulin-Sudbury DSSAB's credit, they've promised to provide this much-needed assistance, since the government won't.

Can the minister tell us why the government refuses to fund the back-to-school and winter clothing allowances for Ontario's poorest children?

**Hon. Deborah Matthews:** This, of course, gives us an opportunity to talk about the Ontario child benefit. The Ontario child benefit takes a number of programs and wraps them into one cheque per month for low-income families regardless of the source of the income of the parents. What that means is that a child who has a parent who is working will, for the first time ever, receive benefits that will go to low-income families, not just those on social assistance. It's a very exciting initiative, it is historic, and the cheques will start to roll this July.

**M<sup>me</sup> France G  linas:** We are very much in favour of the child benefit, but why take away the clothing allowances and the other benefits? The winter allowance and the back-to-school allowance need to stay. A few weeks ago, the Federation of Northern Ontario Municipalities called for the province to cover the back-to-school and winter clothing allowances. Recently in Sudbury, at the poverty consultation, the minister appeared surprised to hear that the northern municipalities were stepping in to cover what should be a provincial responsibility.

Why is the government punishing Ontario's poorest children by cutting the allowances and forcing the struggling municipalities to fund them?

**Hon. Deborah Matthews:** Let's be really clear: I'm very happy that you're supporting the Ontario child benefit. You did vote against it; I'm happy you're now supportive of it.

A single mom with two kids on social assistance is today 27% better off—a 27% higher income now—than when we were elected.

**Mr. Howard Hampton:** What a load of BS.

**Hon. Deborah Matthews:** We are committed to better outcomes for kids.

*Interjection.*

1140

**The Speaker (Hon. Steve Peters):** The leader of the third party will withdraw, not the second comment, but his first comment, please.

**Mr. Howard Hampton:** I withdraw, but it's still horse feathers.

**Hon. Deborah Matthews:** As I was saying, a single mom with two kids on social assistance has 27% more income now than when we were elected. That is before the full implication of the Ontario child benefit. That will take it up to 34%. That's a significant improvement in the income of all children in this province. The Ontario child benefit will extend support—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. New question.

### WINE INDUSTRY

**Mr. Bruce Crozier:** To the Minister of Small Business and Entrepreneurship: The Ontario wine industry is a vital economic driver that contributes to job creation, preserves valuable agricultural land and has made my riding of Essex a vibrant tourism destination.

In 2005, I had a private member's bill passed that created Ontario Wine Week, which will be celebrated for its third consecutive year next week. Ontario Wine Week recognizes and celebrates the importance of our wine industry and the people who work so hard to make it successful. Wine is big business in Ontario, and many of my constituents are small and medium-sized wineries. While the industry has made great strides, many Ontario wines are given scant attention in the global wine world. It's imperative that we help Ontario's wine industry continue to take steps to build what is truly a made-in-Ontario success story.

What is the Ministry of Small Business—

**The Speaker (Hon. Steve Peters):** Thank you, Minister.

**Hon. Harinder S. Takhar:** First of all, I want to thank the member from Essex for joining me on Friday to make the announcement for the VQA wine support program. We have about 125 wineries in this province, and they make a large economic contribution to our province—about one million visitors come every year; 6,000 people employed in this industry—and they deliver about \$500-million worth of retail sales. We introduced the VQA wine support program three years ago, and I was very pleased to make the announcement for the third



year, for \$3.1 million to about 38 wineries. The idea here is to increase the sales of the VQA wines through the LCBO, and I'm pleased to report that in the last two years the sales have actually gone up by—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary.

**Mr. Bruce Crozier:** Wine has been associated with its point of origin for hundreds of years and is often referred to as an expression of place. VQA Ontario regulates claims of origin on wine labels as part of its role in maintaining the integrity of Ontario wines of origin and ensuring the claims of origin are truthful and meaningful to consumers. Ontario is a much younger wine-growing area than other parts of the world and has so far identified four primary viticultural areas, including the Niagara Peninsula, Lake Erie North Shore, Pelee Island and Prince Edward county. The combination of experience, modern innovation and palatable passion drives the wine industry in my community and other communities across this great province.

Given the growing demand for Ontario wines, in addition to this funding, what else has our government done to support this industry and ensure it becomes even stronger in years to come?

**Hon. Harinder S. Takhar:** I will refer to question to my colleague the Minister of Agriculture.

**Hon. Leona Dombrowsky:** I think it's important that we take a little bit of time and talk about how we partner with the wine industry. The first thing I will say is that our government is committed to promoting a Pick Ontario Freshness strategy. We are committed to that, and we're hearing many, many positive comments about the impact that is having on communities and for producers right across Ontario. In January 2004, our government also announced \$6 million for the Ontario wine strategy, and an additional \$2 million over five years was added to that strategy. I would also remind folks that we provided \$1 million to the grape growers of Ontario for the advancement of grape production in Ontario. Finally, and most recently, we have invested \$25 million at the Vineland Research Station and Innovation—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. New question.

## FOREST INDUSTRY

**Mr. John Yakabuski:** My question is for the Minister of Natural Resources. The forest industry is in a real crisis in this province, yet the McGuinty Liberals are content to whistle past the graveyard. At a time when fuel and electricity costs, as well as market conditions, are dealing it a crippling blow, the Liberals decide that it's a good time, after months of discussions, to go back on their word, on the promise they made to the industry, committing that the Endangered Species Act would not supersede what is already the platinum standard, Ontario's Crown Forest Sustainability Act.

Minister, why would you turn your back on this industry when the sector can least absorb the body blow that you're dealing? Why would you break your word to them?

**Hon. Donna H. Cansfield:** I'm more than pleased to be able to respond to the member. If anything, this is a government that has not turned their back on the forest industry.

*Interjection.*

**Hon. Donna H. Cansfield:** Excuse me. We put in place an energy rebate for three years. We have a prosperity fund. We have a loan guarantee. We have worked consistently with the sector to remove the barriers that exist.

Yes, we now do have an Endangered Species Act; it is the first time in 30 years that it has been revamped. It even provides more flexibility than ever before to be able to work with industry, such as the forest industry, to incorporate the Endangered Species Act into the forest management plan. The Premier was very clear that it's exactly what we're going to do. The difference is that we'll do it together with the industry.

**Mr. John Yakabuski:** The industry leaders would disagree with what the minister is saying with regard to consultations and working with them. Minister, people in my riding are already being laid off in the forest industry. I was speaking today to Dean Felhaber, president of Hokum's lumber. He told me it is the worst they have ever seen in their 52 years of business—the worst they've ever seen.

When the sector is being bombarded by you and forces beyond their control, why would you go back on your word, inflicting even more harm by piling on more regulatory burden? Why would you turn your back on them in the time of their greatest need? When is your government going to step up to the plate and do something to help forestry, the industry that is such a good steward of our forests, in this province? When are you going to do something to help them instead of trying to ensure that they become an endangered species?

**Hon. Donna H. Cansfield:** Again I'm more than pleased to be able to respond to the member. For the first time in many years we've had the industry at the table. The CEOs of the companies have—

*Interjection.*

**Hon. Donna H. Cansfield:** Excuse me. I thought it was my opportunity to respond to the member, but maybe he likes the sound of his own voice so much that he prefers just to continue to chat rather than listen to the answer.

The answer is that in fact the industry CEOs have been at the table. We have been working through: What are the challenges? How do we transition into a new economy for the forestry strategy? We've been doing it by working together. What are the barriers? What is the red tape? How do we deal with wood supply? How do we work through the fact that there is a dollar that is the same and a housing market that has collapsed in the United States? What are the challenges around the world, that are



actually in every industry in the forest sector, virtually in every province as well? But the difference is that we will work together with the industry as we transition into a new strategy for the forestry sector.

## PETITIONS

### LORD'S PRAYER

**Mr. Bill Murdoch:** I have petitions that have been sent to me from all over my riding: Just some of them are from the Chesley Community Church, Betty Duncan in Hanover and Fred and Lynda Helwig in Neustadt.

"To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from daily proceedings in the Ontario Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message of forgiveness and the avoidance of evil is universal to the human condition: It is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I have signed this.

1150

### PROTECTION FOR MINERS

**M<sup>me</sup> France Gélinas:** I have a petition from the people at Copper Cliff.

"Whereas current legislation contained in the Ontario health and safety act and regulations for mines and mining plants does not adequately protect the lives of miners; we request revisions to the act;

"Lyle Everett Defoe and the scoop tram he was operating fell 150 feet down an open stope (July 23, 2007). Lyle was 25 years and 15 days old when he was killed at Xstrata Kidd Creek mine site, Timmins....

"The stope where Lyle was killed was protected by a length of orange plastic snow fence and a rope with a warning sign. These barriers would not have been visible if the bucket of the scoop tram was raised. Lyle's body was recovered from behind the scoop tram...."

They ask that:

"Concrete berms must be mandatory to protect all open stopes and raises;

"All miners and contractors working underground must have working communication devices and personal locators;

"All equipment involved in injuries and fatalities must be recovered and examined unless such recovery would endanger the lives of others; and

"The entire act must be reviewed and amended to better protect underground workers."

I fully support this petition and will affix my name to it and send it with page Doaa.

### GARDE D'ENFANTS

**M. Jean-Marc Lalonde:** I have a petition from concerned parents and grandparents from the St-Albert area.

« À l'Assemblée législative de l'Ontario :

« Nous, citoyens de la province de l'Ontario, méritons et avons le droit de demander des modifications à la Loi portant réforme du droit de l'enfance, de façon à faire valoir l'importance des relations qu'ont les enfants avec leurs père et mère, ainsi qu'avec leurs grands-parents, comme le prévoit le projet de loi 33, 2008, présenté par le député provincial Kim Craiton.

« Attendu que le paragraphe 20(2.1) de la Loi exige que les père et mère et autres personnes qui ont la garde d'enfants ne doivent pas faire déraisonnablement obstacle aux relations personnelles qui existent entre les enfants et leurs grands-parents;

« Attendu que l'article 24(2) de la Loi énumère les questions dont le tribunal doit tenir compte pour établir l'intérêt véritable d'un enfant. Le projet de loi modifie ce paragraphe de façon à inclure une mention expresse de l'importance du maintien des liens affectifs qui existent entre enfants et grands-parents;

« Attendu que le paragraphe 24(2.1) de la Loi exige qu'un tribunal qui décide de la garde ou des droits de visite d'un enfant applique le principe selon lequel un enfant doit avoir le plus de contact possible avec ses père et mère et avec ses grands-parents, compte tenu de l'intérêt véritable de l'enfant; et

« Attendu que le paragraphe 24(2.2) de la Loi exige qu'un tribunal qui décide de la garde d'un enfant prenne en compte la volonté de chaque personne qui demande, par requête, la garde de l'enfant de faciliter les contacts entre celui-ci et ses père et mère ainsi que ses grands-parents, compte tenu de l'intérêt véritable de l'enfant;

« Nous, soussignés, adressons à l'Assemblée Législative de l'Ontario la pétition suivante :

« Que les députés de l'Assemblée législative de l'Ontario adoptent le projet de loi 33, 2008, qui modifie la Loi portant réforme du droit de l'enfance, de façon à faire valoir l'importance des relations qu'ont les enfants avec leurs père et mère ainsi qu'avec leurs grands-parents. »

J'appuie cette pétition.

### WYE MARSH WILDLIFE CENTRE

**Mr. Garfield Dunlop:** I have here about 4,000 signatures from folks up at the Wye Marsh support group.

"Whereas the Wye Marsh Wildlife Centre, located in the township of Tay, manages approximately 3,000 acres

of environmentally sensitive land which is owned by the province of Ontario; and

"Whereas over 50,000 people visit the Wye Marsh Wildlife Centre each year; and

"Whereas over 20,000 students from across Ontario visit the Wye Marsh Wildlife Centre each year, receiving curriculum-based environmental education not available in schools; and

"Whereas the Wye Marsh Wildlife Centre receives no stable funding from any level of government;

"We, the undersigned, petition the province of Ontario to establish a reasonable and stable long-term funding formula so that the Wye Marsh Wildlife Centre can continue to operate and exist into the future."

I'm pleased to sign it and give it to Aaron to present to the table.

### CHILD PROTECTION

**Ms. Andrea Horwath:** My petition reads as follows:

"To the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Whereas Ontario is one of the few provinces that does not have independent oversight over child welfare administration; and

"Whereas eight provinces now have independent oversight of child welfare issues, including child protection; and

"Whereas all provincial Ombudsmen first identified child protection as a priority issue in 1986 and still Ontario does not allow the Ombudsman to investigate people's complaints about children's aid societies' decisions; and

"Whereas people wronged by CAS decisions concerning placement, access, custody or care are not allowed to appeal those decisions to the Ontario Ombudsman's office;

"Therefore, be it resolved that we support the Ombudsman having the power to probe decisions and investigate complaints concerning the province's children's aid societies (CAS)."

I agree with this petition. I've signed it and sent it to the table by way of page Megan.

### LORD'S PRAYER

**Mrs. Laura Albanese:** I have a petition from the residents of York South-Weston that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the government is proposing to remove the Lord's Prayer from its place at the beginning of daily proceedings in the Ontario Legislature;

"Whereas the Lord's Prayer has opened the Legislature each and every day since the 19th century;

"Whereas the Lord's Prayer's message is one of forgiveness, of providing for those in need of their 'daily bread' and of preserving us from the evils we may fall

into; it is a valuable guide and lesson for a chamber that is too often an arena of conflict;

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"We, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I agree with this petition and affix my signature to it, and I will hand it over to page Radhika.

### PESTICIDES

**Mr. Wayne Arthurs:** I have a multi-page petition today from a number of my constituents and those of my friend across the way from the Ajax-Pickering riding. It reads:

"All lawn bowling clubs in Ontario in general, and Pickering Lawn Bowling Club in particular, hereby petition for an exemption to Bill 64.

"Because of the nature of the sport, lawn bowling greens will be adversely affected, possibly to the point of making it impossible to play on the greens. Golf courses have already been granted an exemption to Bill 64. Lawn bowling greens have the same type of unique monoculture of grass that is used on golf course greens and tees. Pesticides would be applied by a professional integrated pest management certified applicator.

"We, the undersigned, petition the Legislative Assembly of Ontario to grant lawn bowling clubs an exemption under Bill 64 as long as the pesticides are applied by an integrated pest management certified applicator."

I agree with this petition and will sign it accordingly.

### LORD'S PRAYER

**Mrs. Julia Munro:** "To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its place at the beginning of daily proceedings in the Ontario Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the early 19th century; and

"Whereas the Lord's Prayer's message is one of forgiveness, of providing for those in need of their 'daily bread' and of preserving us from the evils that we may fall into; it is a valuable guide and lesson for a chamber that is too often an arena for conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

As I'm in agreement, I have affixed my signature, and will give it to page Taylor.



## LORD'S PRAYER

**Mr. Ernie Hardeman:** I have a petition here that was sent to me by Anthony Schmidt. The signatures are from all over the province, but the petition was taken in the Heritage Netherlands Reformed church in Burgessville. It is to the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its place at the beginning of daily proceedings in the Ontario Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message of forgiveness and the avoidance of evil is universal to the human condition: It is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I thank you very much for the opportunity to present this petition, Mr. Speaker.

ONTARIO SOCIETY  
FOR THE PREVENTION  
OF CRUELTY TO ANIMALS

**Ms. Helena Jacek:** "To the Legislative Assembly of Ontario:

"Whereas the Ontario Society for the Prevention of Cruelty to Animals Act has not been updated since 1919;

"Whereas Bill 50 would require all veterinarians to report suspected abuse and neglect, protecting veterinarians from liability;

"Whereas it would allow the OSPCA to inspect and investigate places where animals are kept;

"Whereas the bill would prohibit the training of animals to fight;

"Whereas Bill 50 would allow the OSPCA to inspect roadside zoos;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 50, entitled the Provincial Animal Welfare Act, 2008, to protect our animal friends."

As I agree with that petition, I will be affixing my signature thereto.

## LORD'S PRAYER

**Mr. Bill Murdoch:** I have some more petitions sent to me by Regina Schmidt from Mildmay, St. Paul's Presbyterian Church in Warton, D. and S. Garland in Hanover, the Sauble Christian Fellowship church in Sauble Beach and Mrs. Thompson from Chesley, Ontario.

"To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from daily proceedings in the Ontario Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message of forgiveness and the avoidance of evil is universal to the human condition: it is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I have signed this.

## LORD'S PRAYER

**Mr. Garfield Dunlop:** "To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its place at the beginning of the daily proceedings in the Ontario Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message is one of forgiveness, of providing for those in need of their 'daily bread' and of preserving us from the evils that we may fall into; it is a valuable guide and lesson for a chamber that is too often an arena for conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I am pleased to sign it and give it to Aaron to present to the table.

ONTARIO SOCIETY  
FOR THE PREVENTION  
OF CRUELTY TO ANIMALS

**Mr. Ernie Hardeman:** I have a petition here signed by a number of my constituents.

"To the Legislative Assembly of Ontario:

"Whereas the Provincial Animal Welfare Act calls forth the Ontario SPCA, a private charity whose 'object' is to facilitate and provide for the prevention of cruelty to animals and their protection and relief therefrom; and

"Whereas section 11(1) of the Provincial Animal Welfare Act grants 'every inspector and agent of the society ... any of the powers of a police officer'; and

"Whereas there are allegations of abuses of police powers and grave charter violations by inspectors and agents of the Ontario SPCA; and

"Whereas Bill 50 seeks to grant additional independent police powers to the Ontario SPCA, among them the right to warrantless entry;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

(1) that the Legislative Assembly direct the provincial government to recognize the seriousness and consistency of allegations against Ontario SPCA inspectors and agents;

(2) that the Legislative Assembly direct the provincial government to amend Bill 50 to include an independent external mechanism of accountability for the Ontario SPCA; and

(3) that the Legislative Assembly of Ontario direct the provincial government to ensure proposed changes to the Provincial Animal Welfare Act are not in violation of the Canadian Charter of Rights and Freedoms."

#### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Bill Murdoch:** I have another petition:

"To the Legislative Assembly of Ontario:

"Whereas, without appropriate support, people who have an intellectual disability are often unable to participate effectively in community life and are deprived of the benefits of society enjoyed by other citizens; and

"Whereas quality supports are dependent on the ability to attract and retain qualified workers; and

"Whereas the salaries of workers who provide community-based supports and services are up to 25% less than salaries paid to those doing the same work in government-operated services and other sectors;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario address, as a priority, funding to community agencies in the developmental services sector to address critical underfunding of staff salaries and ensure that people who have an intellectual disability continue to receive quality supports and services that they require in order to live meaningful lives within their community."

I have signed this.

**The Speaker (Hon. Steve Peters):** The time for petitions has ended. This House stands recessed until 3 p.m. this afternoon.

*The House recessed from 1204 to 1500.*

#### MEMBERS' STATEMENTS

##### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mr. Norman W. Sterling:** Yesterday, the Minister of Community and Social Services told this Legislature that

severely developmentally disabled residents of regional centres are not being moved into long-term-care centres. In February 2006, one long-term-care facility in Ottawa published a story about a former Rideau Regional Centre resident who was in that long-term-care home. I've been told that more than 20 former residents have moved to long-term care, and the parents of some of the remaining residents tell me that long-term-care facilities are in the plan for their adult children as well. That's because of their very complex health and developmental disabilities.

I have to wonder whether the minister knows what is happening to the vulnerable people for whom she is responsible. The minister also says that residents are not being forced out of regional centres. The centres are closing in March 2009, so residents aren't being given the option of staying. The families' members tell me that they feel they are being intimidated into accepting placements. If that isn't forcing people out, I don't know what else I could call it. The minister says I am fear-mongering. These families are scared for their loved ones, because they don't believe they will have the same services in the community that they have at Rideau Regional Centre. I am giving voice to their fears and I will continue to stand in this Legislature for them.

##### FIREARMS CONTROL

**Mr. Mike Colle:** Due to a gaping loophole in federal gun control laws, firearms intended to be used in films are winding up in the hands of criminals. An intelligence report from the RCMP says that due to the lack of federal controls, everything from AK-47s to assault rifles that are supposed to be used in films are now ending up on our streets.

Ottawa gives out special permits that allow film companies to purchase large quantities of firearms internationally and import them to Canada for use on movie sets. Canadian firearm legislation states that firearms must be registered as soon as practicable, but there is no exact time for registration. Because of this, frequently these firearms are sold on illicit markets in the streets.

Hopefully, the federal government will listen to the RCMP and close the cross-border loopholes that allow these weapons to come into Canada without any controls. Why in the world would they need real firearms on movie sets in the first place? That's the question I ask. The federal legislation on guns has multiple gaps and loopholes. The RCMP intelligence report states that penalties for possession of firearms, as currently applied, "do not act as a sufficient deterrent" for criminals. We join the RCMP in calling upon the Harper government to take immediate action to plug these gun loopholes before more innocent Ontarians are killed with these guns that come across our borders with no federal controls.

##### PREMIER'S FARM INNOVATION AWARD

**Mr. Bill Murdoch:** Today I would like to acknowledge the farmers and agriculture businesses in my riding



that were awarded the Premier's Farm Innovation Award. Blue Water Black Calf Producers Association of Lion's Head is a group of Bruce Peninsula farmers who created an alliance among themselves to sell large herds of unified calves to specific markets. Allan and Kathy Taylor of County Meadow Meats of Owen Sound developed a process of buying only local products to sell in their retail shop, while producing their own lamb on the farm. David and Lynn Freeman of Meaford developed a freeze-dry system so that they can freeze local agriculture products to be shipped throughout Canada. New-Life Mills of Hanover installed automatic lights on their poultry farm, allowing lights to dim on bright days. These automatic lights help to reduce their energy use. Scotch Mountain Meats Inc., in Meaford, following the US border closure, developed all-natural meat products to be sold throughout Ontario. David Harper and Barbara Kay of Stoneyfield Elk Farm, of Meaford, developed a marketing and distribution strategy to provide meat for all seasons to the local area.

I was encouraged to learn that the Liberals actually had interest in my riding and the local agriculture business that they've abandoned in the past. I planned to attend the award ceremony on May 20, but the Minister of Agriculture, Food and Rural Affairs refused to release the names of the winners. It wasn't until after the ceremony started that the minister's office finally shared information with my office. I was further disappointed to see that the Liberal members for Huron-Bruce and Perth-Wellington had prior knowledge of the winners from my riding, even providing words of congratulation in the minister's news release.

It is sad that the Minister of Agriculture turned a good event for my riding and my constituents into a political game.

#### SCIENCE FAIR

**Mrs. Carol Mitchell:** I rise in the Legislature today to congratulate four outstanding students from my riding on a wonderful achievement: Ben Underwood from Turnberry Central Public School; Jacob McGavin from Brussels Public School; and Danielle Appavoo and Kaitlin Fisher, both from Colborne Central School. All received awards for their projects at the Canada-Wide Science Fair in Ottawa.

These four were joined by 38 of their colleagues in Ottawa who did Ontario proud by bringing home 249 awards and scholarships, including the fair's top honour, the platinum award, as well as 17 gold, 26 silver, 28 bronze, 31 honourable mentions and 146 special sponsor awards.

This year's successful projects ranged from Ben Underwood attempting to make a green chicken barn through the use of methane gas in anaerobic digesters to Jacob McGavin testing the efficiency and environmental friendliness of biomass pellets for heating. Kaitlin Fisher attempted to find out if, as some experts suggest, left-handed people are on average more creative than right-

handed people, and Danielle Appavoo sought to find a way of reducing the amount of petroleum products wasted by using non-biodegradable surgical gloves by creating biodegradable gloves.

All four of these students are also in attendance today for the annual Sci-Tech Ontario Queen's Park Science Fair. I ask this House to join me in congratulating these exceptional young people on their recent achievements.

#### AUTOMOTIVE INDUSTRY

**Mr. John O'Toole:** I'm pleased to rise in the House to inform the members that General Motors workers in Oshawa, Durham region and in fact the city of Kawartha Lakes and Peterborough have not given up on protecting their jobs and our community.

Our community supports GM workers and has not given up. We want to see Oshawa's award-winning assemblers continue to build quality vehicles beyond 2009, and we want to keep the 2,600 jobs lost just recently. I urge the government to act, to show some leadership. Not giving up means this government must have a plan for GM and the auto sector, as well as all of Ontario, given the loss of over 200,000 manufacturing jobs.

When pressed in question period, this government hasn't shown that it even has a plan, nor is this government willing to hold an emergency session of this House to address the crisis in manufacturing in the province of Ontario. Premier, I would urge you to bring together the leadership of business, labour and the community to respond to the devastating consequences in our economy.

Regrettably, it seems that this government has given up on decent manufacturing jobs that support families, build communities and in fact affect the lives of our young people. I appeal to the House not to give up because the citizens of Durham and the regions around it have not given up. Who has given up here is the Premier of the province; he's given up on hard-working, decent people, and is not providing manufacturing jobs in this province.

#### JUSTICE SYSTEM

**Mr. Wayne Arthurs:** Recently, I heard a very interesting statistic regarding our justice system. With 600,000 charges entering our criminal courts every year, saving just one minute per charge could save some seven years of court time. That's quite something, especially when you realize that it now takes an average of 9.2 court appearances to complete a criminal case, compared to 1992, when it took an average of only 4.3 court appearances.

It was with these statistics in mind that the Attorney General, Chris Bentley, announced Ontario's new justice-on-target strategy. The strategy, the first of its kind in Canada, sets targets to reduce court delays and appearances by 30% over the next four years, because this government knows that lengthy court delays are unacceptable. The province is also making criminal court



statistics available to the public for the first time through the Attorney General's justice-on-target website, allowing the public to monitor the progress of the strategy in their own communities.

**1510**

With a team led by Regional Senior Justice Bruce Durno and Senior Crown Attorney Kenneth Anthony, the first two initiatives for this strategy include putting legal aid application offices in 17 additional high-volume courthouses and the implementation of a dedicated prosecution system which allows small teams of crown attorneys to make substantive decisions earlier in the court process, reducing the time needed to complete a case.

I know that my constituents will be pleased to hear that government is moving ahead with such an important initiative that will ultimately improve Ontario's justice system.

### PUBLIC HEALTH

**M<sup>me</sup> France Gélinas:** I rise today to highlight the importance of supporting public health units. Public health units are so important that on May 28 the Minister of Health finally announced that hospitals "will be required to report C. difficile outbreaks to their local health units so that medical officers of health have the information they need to monitor and respond to emergent outbreaks."

However, according to the Association of Local Public Health Agencies, about one third of Ontario's medical officer of health positions are still vacant, part-time or led by acting directors. This is despite the fact that, six years ago, the very first recommendation from the Walkerton inquiry stated that "the Health Protection and Promotion Act should be amended to require boards of health and the Minister of Health, acting in concert, to expeditiously fill any vacant medical officer of health position."

Twenty-seven OPSEU members who work at the Grey-Bruce health unit in Owen Sound have been on strike since May 1. These workers keep people safe from rabies, bird flu, West Nile virus, contaminated tap and beach water, and much more. I don't know how the mosquitoes are elsewhere, but in my riding they are ferocious.

A public health unit is dysfunctional without key staff, and the Ontario Medical Association has said that a single dysfunctional health unit could incubate a national epidemic.

More must be done to support our local health units so they can continue to protect us.

### CONSUMER PROTECTION

**Mr. Bill Mauro:** I was quite pleased yesterday to see that the Payday Loans Act passed third reading here in the Legislature, thanks in no small part to the great leadership provided by the Minister of Government and Consumer Services. It is also extremely important that I point out that for the first time in the history of this

Legislature, our government has stepped into an area that heretofore was not regulated.

The outcome of this bill is very important to a number of my constituents who take out payday loans, as I'm sure it is to many of those in the ridings of my colleagues. It is clear that major improvements must be made to ensure that there is a fair and balanced approach to regulating the payday lending industry here in Ontario.

The Payday Loans Act will bring in new regulations, including the requirement of lenders and brokers to be licensed. It will prohibit back-to-back and concurrent loans and it will impose serious penalties for lenders who break the law. The legislation will also lead to the establishment of the Ontario payday lending education fund, aimed at educating the public and providing consumers with information about financial management as well as how they can protect themselves and their rights.

It has been said in this House before how important it is to provide helpful education to the public about important issues such as this, so I'm quite pleased that this is part of this legislation.

This government knows that Ontarians who are trying to improve their circumstances face many challenges along the way. This bill is a reflection of that recognition, and I look forward to seeing the bill receive royal assent in the very near future.

### RICHARD LEARY

**Mr. Dave Levac:** In Afghanistan on June 3, 2008, troops from the second battalion, Princess Patricia's Canadian Light Infantry, marched on foot patrol across the Panjwayi district just west of Kandahar. Moving towards a safer area in the Taliban-intense region, a Canadian soldier was killed, exactly four weeks to the day.

Enemy fire scorched ablaze the horizon of the volatile Kandahar flatbeds, fatally wounding a Canadian soldier, Captain Richard Steve Leary, known as "Stevo" to his fellow troop members.

The death of Captain Leary brings Canada's death toll in Afghanistan to 84 soldiers since the mission began in 2002. Another soldier has been regrettably added.

Captain Leary, born and raised in Brantford in the riding of Brant, is survived by his wife, Rachel, sister Brandi Leary, and his parents, Richard and Gail Leary.

Captain Leary's parents have tied a yellow ribbon around a tree in front of their Brantford home in memory of their brave son.

It's heartbreaking when those we love die in defending freedom for people who face tyranny. It is on the bravery and sacrifices of such men and women as Captain Leary that our very own country was founded. These brave men and women deserve our respect and support.

I confess to only imagining what the family of Captain Leary is going through. I will join them for only a brief moment when the family holds the service in Brantford tomorrow, in which I will be able to extend my heartfelt sympathy to them in their time of sorrow. My thoughts



and prayers are with them, and I'm sure that all of us here in this House share the same thoughts and prayers.

We still our minds and our hearts for a moment of silence. Let us remember all who have made the ultimate sacrifice and especially remember Captain Richard "Stevo" Leary, a brave soldier, a loving husband, a proud brother and a beautiful son. Rest in peace.

I seek unanimous consent that we stand for a moment of silence in honour of Captain Richard Leary.

**The Speaker (Hon. Steve Peters):** The member seeks unanimous consent to a moment of silence. Agreed? Agreed.

I ask all members and our guests to please join us in a moment of silence.

*The House observed a moment's silence.*

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**The Speaker (Hon. Steve Peters):** I beg to inform the House that today the Clerk received the report on intended appointments dated June 3, 2008, of the Standing Committee on Government Agencies. Pursuant to standing order 107(f)(9), the report is deemed adopted by the House.

*Report deemed adopted.*

### NOTICE OF DISSATISFACTION

**The Speaker (Hon. Steve Peters):** Pursuant to standing order 38(a), the member for Nickel Belt has given notice of her dissatisfaction with the answer to her question given by the Minister of Children and Youth Services concerning clothing allowances. This matter will be debated today at a late show at 5:45 p.m.

## INTRODUCTION OF BILLS

### COLLEGES COLLECTIVE BARGAINING ACT, 2008 LOI DE 2008 SUR LA NÉGOCIATION COLLECTIVE DANS LES COLLÈGES

Mr. Milloy moved first reading of the following bill:

Bill 90, An Act to enact the Colleges Collective Bargaining Act, 2008, to repeal the Colleges Collective Bargaining Act and to make related amendments to other Acts / Projet de loi 90, Loi édictant la Loi de 2008 sur la négociation collective dans les collèges, abrogeant la Loi sur la négociation collective dans les collèges et apportant des modifications connexes à d'autres lois.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The minister for a short statement.

**Hon. John Milloy:** I will make a statement during ministerial statements.

### PUBLIC VEHICLES AMENDMENT ACT (IMPROVING BICYCLE MOBILITY), 2008

### LOI DE 2008 MODIFIANT LA LOI SUR LES VÉHICULES DE TRANSPORT EN COMMUN (AMÉLIORATION DE LA MOBILITÉ À BICYCLETTE)

Ms. Horwath moved first reading of the following bill:  
Bill 91, An Act to amend the Public Vehicles Act respecting bicycle racks on public vehicles / Projet de loi 91, Loi modifiant la Loi sur les véhicules de transport en commun en ce qui a trait aux porte-bicyclettes sur les véhicules de transport en commun.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Ms. Andrea Horwath:** The bill amends the Public Vehicles Act to exempt public vehicles equipped with bicycle racks or carrying bicycles on racks from the general restriction against carrying or transporting a load that extends beyond the body limits of the vehicle. It has been a problem for inter-regional transportation particularly. I hope to correct that with this bill.

1520

## STATEMENTS BY THE MINISTRY AND RESPONSES

### COMMUNITY COLLEGES COLLECTIVE BARGAINING

**Hon. John Milloy:** I'm pleased today to be introducing some very important legislation for Ontario's college system. The proposed Colleges Collective Bargaining Act, 2008, represents a significant revision of the collective bargaining regime in this sector. It would represent important changes for colleges and workers and bring more ownership over the collective bargaining process to the workplace parties. It would, our government believes, lead to a strengthened and more stable college system better able to focus on the needs of students, better able to deliver the high-quality education that the people of Ontario need.

This proposed legislation would mark the first significant overhaul of collective bargaining in colleges since current processes were established in 1975. I'm very happy to say that our bill, if passed by this Legislature,

would give part-time and sessional college workers the right to bargain collectively for the first time in Ontario.

This is a commitment our government made last August and one that I am proud to see included in our proposed legislation. Our government believes that this is the appropriate thing to do and we want to ensure that it is done right. We believe that this bill will establish a new era in labour relations in Ontario colleges by ensuring a more stable, effective process for negotiations covering both full-time and part-time college workers—an era where the workplace parties have greater ownership of the process. That is why our government took the time to ensure that proper consultations were held with all parties in our college system and that's why we appointed Ontario Labour Relations Board Chair Kevin Whitaker to conduct a thorough review of collective bargaining in our colleges.

Mr. Whitaker is with us here today, along with his daughter. I would like to take this opportunity to thank Mr. Whitaker for his hard work.

After receiving written and oral submissions from all parties involved in the college system, Mr. Whitaker produced a report this past February 1. He provided me with comprehensive recommendations relating to collective bargaining in our colleges.

One of those recommendations was, of course, to extend collective bargaining rights to part-time college workers. But the report went further: to describe how this should be done to ensure the interests of all parties are balanced and that changes ultimately benefit students through a stronger, more stable college system.

This would be accomplished, if this legislation passes, by allowing for the establishment of two new bargaining units for part-time college workers: one for part-time and sessional faculty and another for part-time support staff. Bargaining unit members would then be free to pursue the certification process.

But this bill would make some other important changes to how collective bargaining takes place in our college system, changes that our government believes would make collective bargaining in colleges more effective by bringing it more in line with accepted collective bargaining principles that work well in most other unionized workplaces in Ontario. By making the collective bargaining process work better, we believe that we would be strengthening the college system in general to the benefit of all parties, especially students. Changes to the bargaining process would encourage more stable, predictable labour relations, so that all parties could continue to focus on providing the best education possible for students in a productive learning environment.

That is what we must focus on when considering this legislation: our students. We must ensure the proper balance between ensuring an effective collective bargaining process for college workers and ensuring the best possible learning experience of our students.

Our government believes that our proposed legislation would offer this balance. Some of the proposed changes include:

- creating a new employer bargaining agent to represent all colleges in collective bargaining. This would replace the current government-appointed agency that acts on behalf of the employer during negotiations involving full-time workers;

- providing roles for the Ontario Labour Relations Board and the Minister of Labour consistent with their roles under the Labour Relations Act;

- streamlining the timelines for collective bargaining to encourage more proactive engagement by the bargaining parties;

- allowing for the appointment of a conciliator to work with the workplace parties at their request, eliminating the current fact-finding exercise, which is more cumbersome.

Essentially, we are proposing that collective bargaining processes in colleges for both full-time and part-time staff be made more consistent with the Ontario Labour Relations Act, while still recognizing the unique working environment in colleges. This is an approach that would give workplace parties more responsibility for the outcome of collective bargaining. It would streamline processes, bringing in the best of what works in other workplaces while still providing a separate framework that addresses the needs of the college sector. We believe that this approach is the best for colleges. We believe it would address the needs of workplace parties while still keeping the needs of students front and centre.

Our government remains committed to building Ontario into a true knowledge-based economy. Our \$6.2-billion investment by 2010 through our Reaching Higher plan is already helping people across this province work toward their dreams and build a strong future for themselves. By investing in our people, investing in our students, we are all building an Ontario strongly positioned to excel in the global economy. Ontario's strength is in our ingenuity and in our drive to succeed.

This legislation, if passed, would strengthen our college system not only by enhancing the quality of education, but by providing the framework for stronger labour relations. It would ensure a strong learning environment for our students, and it would help turn Ontario into a true knowledge economy able to compete globally.

Our government believes in the people of Ontario. We believe that by giving college workplace parties the proper tools to negotiate collective agreements, we are helping to build a better learning environment for Ontario students.

#### PORTUGUESE CANADIAN COMMUNITY

**Hon. Michael Chan:** Ontario is strong and vibrant because of our diverse communities. Today, I want to recognize the Portuguese community for its contributions to the cultural, economic and social development of the province.



June is Portuguese History and Heritage Month, a celebration first proclaimed in the Ontario Legislature in 2001. It gives us the opportunity each year to show our gratitude to the Portuguese community for enriching Ontario's history, arts, language and culture.

For example, in June, the Portuguese honour the *Lusiads*. These are epic poems about the history of Portugal, including the era of exploration in the 15th and 16th centuries. They were written by Luís de Camões, who died in 1580, one of Portugal's greatest poets. This month is also an opportunity to commemorate the anniversary of the poet's death.

The Portuguese played a pioneering role in the exploration of the new world in the 15th and 16th centuries, including arrival in Canada 500 years ago—people like Pedro da Silva, who transported and delivered mail by canoe when postal service was first established in Canada in 1693.

#### 1530

But it was in the 1950s that Portuguese immigration began to gain momentum in Canada. When immigrants from Mariland, Portugal, Azores and Madeira, Angola, Mozambique, Cape Verde, Guiné-Bissau, Goa and other Portuguese-speaking countries came to Canada, they came to make a new life for themselves and contribute with their hard work. More than 350,000 people of Portuguese descent now live in Canada—a quarter million in Ontario. The majority immigrated here between 1961 and 1990, helping to make our province one of the best places in the world to live.

The skills of many Portuguese who joined the labour force in construction and manufacturing helped to build this great province, and Ontario continues to benefit from the arrival of newcomers whose native language is Portuguese. Newcomers include skilled technicians and business people, artists in many forms, and scientists.

Ontario is unique because of its diversity, with outstanding Portuguese Ontarians like Dr. Kim Vicente, founding director of the University of Toronto's cognitive engineering laboratory, recognized by Time magazine as one of 25 Canadians under the age of 40 who is a leader for the 21st century; Superior Court Justice Maria T. Linhares de Sousa, chair of the Family Law Information Centre and the Ottawa courthouse; and our own Peter Fonseca, Minister of Tourism and one of Canada's top marathoners, who represented our country in the 1996 Olympics in Atlanta.

There is a Portuguese proverb that says, "Everything has its time." Now is the time to recognize the important role of Portuguese Canadians here in Ontario.

**The Speaker (Hon. Steve Peters):** Responses?

#### PORTUGUESE CANADIAN COMMUNITY

**Mr. Peter Shurman:** I rise today in this Legislature, in response to the Minister of Citizenship and Immigration, on behalf of the Progressive Conservative Party of Ontario to speak on Portuguese Heritage Month and to-

day's special celebration of the Portuguese national day. Indeed, as we speak, the Portuguese flag is being raised on the flagpole outside of this building.

Today marks the death of celebrated Portuguese poet Luís de Camões on June 10, 1580. Camões wrote the *Lusiads*, Portugal's national epic celebrating Portuguese history and achievements. The poem is about 16th-century Portuguese explorations and is considered to be one of the finest and most important works in Portuguese literature. It is a symbol of Portuguese determination, strength, industriousness and courage. Indeed, they were the explorers of their day.

Those are the same attributes that can describe our Portuguese community here in Ontario today. But of course Portuguese contributions to Canadian life are no recent development. Gaspar Corte Real, a great Portuguese explorer, was one of the earliest explorers of Canada. In 1501, he reached the coast of North America and explored the northeast coast of Terra Nova, or Newfoundland, and named Conception Bay and Portugal Cove. He sailed up the coast of Labrador and named the land *Tierra del Lavrador*, in honour of John "the farmer," who was a Portuguese explorer credited with being the first explorer to land in Labrador. In fact, Newfoundland and Labrador are described in old cartography as the "Land of Corte Real."

When mail service was first established in Canada in 1693, it was a Portuguese man, Pedro da Silva, who transported and delivered mail by canoe between Montreal and Quebec City. He was the first officially commissioned courier of New France in 1705.

Of course, Portuguese Canadians continue to make vital contributions to our province, and indeed hold key positions in this Legislature; for example, the Minister of Tourism, Peter Fonseca, who was himself born in Lisbon.

On this, the 428th anniversary of the Camões's death, I wish all Portuguese Ontarians a happy Portuguese national day, and I wish them the best of luck as Portugal competes in the Euro 2008 championship.

#### COMMUNITY COLLEGES COLLECTIVE BARGAINING

**Mr. Garfield Dunlop:** I'm pleased to respond today to the Minister of Training, Colleges and Universities on behalf of my colleague from Simcoe-Grey, Jim Wilson, who couldn't be with us today. First of all, I look forward to this debate. I understand there will be some debate in the House, probably in the next couple of days, and we'll be taking this bill to committee over the summer months. We'll get a chance to listen to all the stakeholders.

Many of us in our ridings have met with representatives of the part-time and seasonal workers who have requested this type of legislation over the last three or four years. I've heard it fairly carefully and I look forward to those debates.

However, one of the things that's interesting is that today I thought maybe the minister was coming forward with even better news. We've had a lot of money flow



from the federal government to the Ontario government, with a lot of it—over \$1 billion—in retraining money. That's retraining money that's not going to help the forestry workers who were laid off prior to June 2007. This year alone, as of April 1, you've received \$311 million additional money from the federal government under the labour market agreement. We thought some of that money might have flowed to some of our literacy councils that help some of the most vulnerable people in our communities.

This whole issue around ratios—I thought maybe you might be bringing forward some kind of bill that would establish the ratios, so that we would actually have 1-to-1 ratios instead of being the only odd person out in our whole country, that being the 3-to-1 ratios that exist today. We've brought it up over and over again in this House, because we face huge deficits of people in the construction and manufacturing trades, and this government refuses to listen to any of our comments and to the key stakeholders.

We look forward to the opportunity to debate this bill, but there are many more things we need to do. If and when this bill is passed and implemented, it's obviously going to cost the Ontario government more money, and we're already the lowest-funded per capita college system in all of our country. We're going to need a lot of additional money. I hope this government is prepared to come to the table with additional funds to implement this legislation, as well as all the other things that I've mentioned at the same time.

### PORTUGUESE CANADIAN COMMUNITY

**Mr. Rosario Marchese:** I'm happy to stand here and say that I celebrate with the Portuguese community their history and heritage month. I'm happy to say that I grew up about 10 minutes away from here in the heart of what is still the Portuguese community. While I understand a lot of Portuguese, I don't speak it, but I speak Italian, I speak French, and for those of you who are unilingual, I speak Spanish not too badly. I say to those who are unilingual, it's curable. You can work on it.

Having grown up in the area with Portuguese Canadians, I am very proud to have represented this community for a long, long time. I tell those of you who have not been part of the Portuguese parade, which happens every June, usually in the second week, it's the most successful parade in Ontario, the biggest and the most exciting to be part of.

I say we celebrate proudly Portuguese Canadian roots each and every year. And I celebrate the contributions of the pioneers who have been here for 55 years and more, they who have made tremendous sacrifices in this country. Because of the sacrifices they have made, their sons and daughters have benefited in ways that we see—socially, culturally and economically—because they are integrated in every aspect of Canadian society. I'm one

of those who say thank you for the contribution you have made to this province and to this country.

I congratulate them for the 2-0 soccer victory the other day. Just yesterday, a number of my Portuguese friends commiserated with me as an Italian Canadian. I took the criticism humbly and I agreed with them that they didn't deserve to lose 3-0, but they got beaten, and beaten badly. There's still time to make up for the loss. But I wanted to congratulate Portuguese Canadians on that victory and I know how exciting it has been for them.

1540

### COMMUNITY COLLEGES COLLECTIVE BARGAINING

**Mr. Rosario Marchese:** Moving on to the other matter, which is of great importance to New Democrats but particularly important to the part-time workers who have been lobbying this government for two long years, I want to congratulate OPSECAAT president Roger Couvrette, who is here, because not one word was said about OPSECAAT and the work that they have done—not one word.

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock. I remind the members on the government benches that the opposition was respectful when the minister was delivering his statement. I would just ask that that same respect be given to the speaker.

*Interjections.*

**Mr. Rosario Marchese:** Hang yourself a little bit; stretch it up a little bit.

You need to thank the people who have been working hard on this; they have, for two long years. What they've been saying is that the part-time workers have been denied the right to organize, denied the right for collective bargaining, for two long years. Prior to that, part-time workers, college teachers, have been working hard like many full-time staff and been denied the privilege of the work they do. It's wrong, and it has been wrong for two years. It's not just college teachers but the other support staff, seeking the same right. I wanted to mention them in my two or three minutes that I had, and to mention the OPSEU president, Warren Thomas, who is here, otherwise known as Smokey, with other OPSEU members who have been working alongside OPSECAAT, working hard to represent them. They deserve some praise, too.

I was looking forward to a simple bill that simply gave part-time workers the right to bargain collectively. Look what we got for one simple bill that I expected. Can you see this, Speaker? This is thick. What is in here? I don't know. We asked, with some courtesy, and humility as well, the minister and his staff: "Could you send us a copy so we could look at what you're doing and what you have to say?" They said no, they couldn't, and that they would give it to us at 3 o'clock. That's when we got this pile—you see, Speaker? You understand how complicated it is to comment on a bill of this size.



Tomorrow morning, we're going to get an opportunity to speak to it. We will look at it very closely, because we don't want to give a right to part-time workers while taking another right away, which is what I fear may be contained in this bill. We'll have an opportunity to read it tonight and debate it tomorrow morning.

Thank you to those workers who fought hard to get this bill.

## OPPOSITION DAY

### INFECTIOUS DISEASE CONTROL

**Mrs. Elizabeth Witmer:** I move that the Legislative Assembly of Ontario calls upon the McGuinty government to restore public confidence in Ontario's health care system by immediately initiating an independent investigation into the sad and tragic deaths caused by outbreaks of *C. difficile* in Ontario hospitals and report back to the Legislature in 90 days; and the Legislative Assembly of Ontario calls upon the government of Ontario to hold a public inquiry to determine what steps can be taken to reduce the risks of outbreaks and prevent further deaths related to *C. difficile*.

**The Speaker (Hon. Steve Peters):** Mrs. Witmer has moved opposition day number 5. Mrs. Witmer.

**Mrs. Elizabeth Witmer:** We have put forward this motion calling upon the government to do what they can to restore public confidence in Ontario's health system. That public confidence, I can tell you, has been seriously eroded by their handling of this crisis related to the outbreaks of *C. difficile* and the number of known deaths that have occurred. Regrettably, the McGuinty government has, during the past four years, totally ignored the threats to public health and safety from an increasing number of *C. difficile* outbreaks in our hospitals, and they have ignored the fact that there have been escalating numbers of deaths, and also those who have become infected, from this preventable infectious disease.

Of course, that's one of the keywords when it comes to *C. difficile*: It is preventable. This government, if they had taken action earlier, as, say, Quebec and Manitoba did after 2004—the outbreak in Quebec—many of these deaths, including the 62 recently that came to light at Joseph Brant in Burlington, could have been prevented.

We now have a disease, a preventable disease, that has claimed, in just the seven hospitals, six times the number of lives claimed by SARS in 2003. You would have thought that this government would have learned a lesson from SARS. In fact, it was interesting. When we had the SARS outbreak and when we had the 44 deaths, this was said by Dalton McGuinty on May 6. He stood in the House, he demanded a public inquiry, and he said: "Public inquiries give us facts on what happened in the past, and they give us valuable recommendations for the future. They give the public the answers that they desire and to which I believe they are entitled."

We believe that we can learn from the past. We believe that the information we have can help us to prevent and contain outbreaks in the future, and that's why we want a public inquiry. We also agree with Mr. McGuinty, who said at that time that it gives the public answers. We agree. The public is entitled to answers. We've heard from many of the families of the 62 people who died as a result of *C. difficile* at Joseph Brant hospital in Burlington, asking for answers. Why did the government not take action? Why was there not a concerted, coordinated effort on the part of the Minister of Health to communicate the extent of the outbreaks, the number of deaths, the number of those infected? If only we had known. It's interesting that so far, the minister and the government of Dalton McGuinty have stonewalled our attempts to put in place a public inquiry and an investigation into what happened so that we can learn for the future.

The Minister of Health as well, who has been somewhat negligent in his duty since 2004, despite the information that he had, also spoke passionately on May 6, 2003, about the value of public inquiries, public inquiries which he now says aren't necessary. And what do you think Mr. Smitherman said? He said, "We owe it to ourselves and to the society that we are part of to make sure that we do learn all of the lessons that can be learned from a review that allows all of those people to have a voice."

And then he said, "I do think it's critically important that at a time and age where we know that there will be more complex situations like this that confront us"—and don't we know that—"we take every advantage that we can, that we reach out to all those who have a voice and we hear of their problems and we take them seriously and we act to address those concerns, not in some review...." So he doesn't just want a review where nobody knows who's asking what questions, but under the commission of an inquiry that is independent, thorough and transparent. That's what we're asking for.

In 2003, he thought that that was what was absolutely necessary. He was passionate. He goes on to say, "Only then can we be certain that all of the lessons that are to be learned have been learned to ensure that our capacity to protect our citizens is enhanced to the greatest extent possible." That's what we're calling for: a public inquiry.

The good thing is that we had, in 2003, a government in the province of Ontario, under the leadership of Premier Ernie Eves, who responded—actually listened to the opposition, listened to the voices of the public, listened to the voices of those who were involved in the SARS outbreak, the SARS crisis—and who immediately did put in place an inquiry in order to get to the bottom of what had happened. There had been only 44 deaths, and I say "only" because that is a big number, and those were sad and tragic deaths, but the reality today is that we know that in seven hospitals—only seven—there were six times the number of deaths. We don't know about the other hospitals and the death rate in those hospitals. Yet this government refuses to learn from the past in order



that we can prevent mistakes in the future. How irresponsible.

1550

That's why this government has lost the public's confidence. There is concern about the fact they've known for four years that there was a threat to public health. Why did they know? Because in 2003 and 2004 there were outbreaks in Quebec that killed about 2,000 people. After those outbreaks, there was action taken. Both Quebec and Manitoba started public reporting.

In fact, after those 2,000 deaths in Quebec, the Canadian Medical Association stepped up to the plate. They released a report that said that we were going to have *C. difficile* outbreaks in all the other hospitals in Canada eventually. Now is the time for all the provinces—and I stress all the provinces—to develop and implement plans in order that you can recognize it, which means that you've got to report it. You've got to know about what's happening in your hospitals, you've got to take the steps in your plan to reduce the risks of the outbreaks and you've got to do mandatory reporting.

The McGuinty government in 2004 ignored those experts, the Canadian Medical Association—unbelievable. They ignored the fact that 2,000 people had just died in Quebec. Then, in 2004, the Canadian Union of Public Employees issued a news release accusing the government of underestimating the threat of *C. difficile*. Then we had two deaths at Cornwall Community Hospital. The Ontario Council of Hospital Unions called on the government to take steps to implement mandatory reporting. They made the same plea again in 2007, after we had about 26 deaths related to *C. difficile* in Sault Ste. Marie. Again, the McGuinty government and this Minister of Health ignored the advice.

It gets worse. Last summer, the minister decided that he was going to ask Dr. Michael Baker to give him a report about *C. difficile*. Michael Baker is physician-in-chief of the University Health Network, a most respected doctor. He did write a report for the minister, stating that “my first priority would be to have reporting to the minister and the public” on *C. difficile*. Dr. Baker also stated last summer that the families of the patients who died from the infection were outraged that Mr. Smitherman had not issued public warnings and failed to act on years of evidence about this lethal infection.

Believe it or not, he asked for advice, but he didn't move forward with the advice. He ignored the advice he got from his own medical expert—unbelievable. Then, in February of this year, Dr. Baker was asked for his advice again. He restated that “my first priority would be to have reporting to the minister and the public” on *C. difficile*. Again, this government took no action. After repeated calls from the opposition, he suddenly decided, “Maybe we'll start public reporting at the end of the year.”

In the meantime we've had deaths, deaths everywhere in this province. In fact, we learn of new deaths all the time. Most recently, we learned of some at the Alliston hospital; we learned of some at St. Michael's Hospital. This is happening all over the province.

I would say to you, the actions of this government and this minister stand in stark contrast to those of the Minister of Health in Northern Ireland. We know there are people who, when they see what's happening, take decisive and strong action. They take control. They don't ignore the warnings. The Minister of Health in Ireland earlier this year learned that 51 people had died of *C. difficile*. This is as a result of the same new lethal strain that, by the way, we now have in the province of Ontario.

Do you know what he did? He immediately set up an expert panel. That's what we're asking for. They were to do a three-month comprehensive review. And do you know what else he did? He invested money. He took control of the situation. He did not blame the hospitals and the front-line workers and say, “Well, it's up to them.” No, he recognized that there was a need for strong action and a coordinated approach from the ministry of health and the government. So he invested in special measures to fight and control the disease—and I would say successfully. He is also probably going to follow this with a public inquiry.

That is what we are asking the Liberal McGuinty government to do. That is what they asked us to do in SARS. We agreed. We recognized the importance. We want an interim report within 30 days. We want a final report within 90 days, followed by a public inquiry to address this urgent issue of concern to Ontarians. I can't believe that the government is stonewalling this request. I would hope that they would vote with us today. Surely they share the concerns that we have: families who have lost loved ones and cannot understand why it happened in a province like Ontario that should be a world leader when it comes to health and the prevention of infectious diseases.

We've had four years of warnings. We've seen inaction on this particular situation. We've seen this government trying to deny that there is a problem—being very dismissive—and that's why public confidence in our health system has been undermined. We need an inquiry. We need to make sure that we get answers as to why this happened in the province of Ontario. How did it happen? How widespread is it? Well, the minister gets up every day now and tells us he doesn't know. Can you believe this—doesn't know? I'm not sure that is totally accurate. It could be that he knows but doesn't want to tell us.

**Interjection:** It's a cover-up.

**Mrs. Elizabeth Witmer:** Some people have suggested that there is a bit of a cover-up, because perhaps the numbers—I once said that maybe there have been 5,000 deaths; he has never disputed them.

But if you don't know what the problem is, how can you solve it? They refuse to acknowledge that there is a problem. He has behaved totally differently than the minister in Northern Ireland. Even if you take a look at what the minister in Quebec did years ago, he behaved differently. Both of them took decisive action. They took control. They focused on making sure there was coordinated communication with the people in the province of Ontario—clear, concise, well-understood communica-



tion. We have the CEO at the Burlington hospital telling us, "Nobody ever told me about *C. difficile*. I heard about it through the media." That is not how you communicate with your hospital CEOs.

So do you know what? We see a government that has not listened to the warnings and the advice of the Canadian Medical Association, the Canadian Union of Public Employees, the Ontario Council of Hospital Unions and their own medical expert, Dr. Baker. They've failed to take action. They have been in denial about *C. difficile* for four years. They have been in denial of the risk to public health and safety.

Ontarians deserve better. They deserve answers. I urge the Premier to support our resolution today. Appoint an independent investigator to look into the crisis. Report back with the findings. The public deserves to know the truth. This government cannot continue to shirk their responsibility. This is a matter of public confidence in our health system. The reality is that the public has lost confidence. This is a matter of life and death. It's time that this government finally recognized the gravity of the situation. I would urge all members of the government today to stand up and be counted. Listen to the voice of Ontarians, as we did with the request for a SARS inquiry, and support us. Let's get to the bottom of what happened and why, and make sure that nobody else dies as a result of *C. difficile*.

**The Acting Speaker (Mr. Ted Arnott):** Further debate?

1600

**M<sup>me</sup> France Gélinas:** I am pleased to rise today to talk about the inquiry into *C. difficile* requested by the member for Kitchener–Waterloo. Hospital-acquired infections are the fourth-largest killers in all of Canada. Each year, about a quarter of a million people—that's 250,000 people—will pick up an infection while hospitalized; of those people, between 8,000 and 12,000 will die. Those are people who probably would still be here with us if they hadn't picked up those superbugs in hospital. For Ontario, we're looking at about 2,000 Ontario citizens who will die from infections acquired in hospitals this year alone.

There are different types of superbugs. We talk about MRSA, we talk about VRE, but we also have to talk about *Clostridium difficile*, better known as *C. difficile* or even *C. diff*. So far, as my colleague has mentioned, 260 Ontarians have died from *C. difficile* in just the nine out of 150 hospitals that have made their figures public. One can't help but do the math in one's head. If nine out of 150 hospitals report 260 deaths, what if all hospitals were the same? Does that make 3,700? I hope this is not the case, but as she mentioned, we don't know this because the Minister of Health has been asked numerous times to tell us the scope of the problem and no answer has been forthcoming. He does not have this information. Not knowing this information is scary for all of us.

In Quebec, the infection has killed 2,000 people since 2002. But Quebecers learned from that experience. They have put changes in place to protect their citizens. That

leaves us to believe that if our neighbours next door, in the next province over, have been able to learn a hard lesson from 2,000 deaths, why is it that we in Ontario haven't learned a whole lot? Why is it that over the last four years Minister Smitherman has not made *C. difficile* a reportable infection? It seems like a long period of time for something as drastic as 2,000 deaths in hospitals due to one single strain of bacteria, *C. difficile*. But none of this has happened. We are told that it will happen in the future, that it will happen in Ontario this fall. That's a long period of time.

*C. difficile* is a very serious disease. There are some fact sheets that are circulating for all health care settings that say that *C. difficile* is the leading cause of health-care-associated diarrhoea. Outbreaks of *C.-difficile-associated diarrhoea*—we call them CDAD—have occurred in a variety of acute-care, long-term-care and community settings. It has been known to cause associated diarrhoea for about the last 30 years. It's not that new, is it? *C. difficile* is a spore-forming, gram-positive, anaerobic bacillus that produces two endotoxins—toxin A and toxin B. Basically, it is a common cause of antibiotic-associated diarrhoea and it accounts for about 12% to 25% of those cases.

There is also a list of risk factors for people who could be considered at risk for *C. difficile*. Those too are pretty easy to come by. We've talked about exposure to antibiotics, having gastrointestinal surgery, about people who have been in the health care setting for a long period of time, people who are seriously ill, people who have immuno-compromising conditions, where your immune system is not working properly, and people of advanced age. All that tells us is that it is fairly common, that it has been there for a long time. There has been tragedy and there have been lessons learned, but Ontario is a slow learner.

In severe cases, *C. difficile* will cause critical illness and death, but it is highly preventable. People don't have to get infected with *C. difficile*. People don't have to die. The single most effective way to prevent the spread of *C. difficile*, I think everybody in this House should know by now, is to wash your hands: Wash your hands before you go in, wash your hands after you leave, wash your hands before you leave the long-term-care facility, wash your hands before you eat or drink.

The motion calls for a province-wide inquiry into how people died. We of the NDP think this is a reasonable request but we also realize that it will take time. It is not very forward-looking. An inquiry is always what it is: It's backward-looking. You look at what happened, you get some lessons learned, you get some best practices and protect yourself so that it doesn't happen again. What we're suggesting is that you not only look back through an inquiry, but you also take immediate action. There are immediate actions that Minister Smitherman and the government can take now to protect us.

Quebec has had mandatory reporting since 2004. We don't have to reinvent the wheel. We can do mandatory reporting, and we can do it now. Ontario has been far too



slow in adopting mandatory reporting and that has led to people losing confidence in their health care system. Mandatory reporting is required in five US states and there are at least another 30 states considering similar legislation.

Mandatory reporting would provide patients with the rate of hospital-acquired infection at a specific hospital or a specific health care community. It would also give us important information on how widespread the problem of infectious disease in hospitals is and where funding and human resources should be increased to help us deal with this. The government needs to implement mandatory reporting now, not in four months when God knows how many more Ontarians will have contracted the disease and how many more Ontarians will have died.

System-wide reporting also allows the province to set benchmarks and to measure the progress that is being made to curb the infection. But even more needs to be done. The government also needs to take action to hire more hospital cleaners—and we would add to this— forbid the contracting-out of hospital cleaning and force hospitals to urgently review their infection control practices. Clean hospitals are the backbone of infection control. When you don't have enough people to clean the place regularly and thoroughly, you put everybody at risk of infection.

Hospital support workers: If you're interested, there are about 50,000 hospital support workers in Ontario. They keep our hospitals clean. But over the last 30 years, every hospital that has tried to balance their budget has done it partly through cutbacks to their cleaning staff. Cleaning staff, not surprisingly for some, are the lowest-paid workers in the hospital. In general, in hospitals, they make less than the average industrial wage. Of the 50,000 people who are hospital support workers and cleaning staff, the majority are women.

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Spending on hospital support services has fallen and declined. The Canadian Institute for Health Information—CIHI, we call it—reports that hospitals have cut the dollars spent on support services in recent years. Housekeeping spending cuts, on average, have been about 1.8% per year; material management cuts, 2.2% per year; patient food services, 3.1% per year. Rather than keeping pace with the demand, keeping pace with the increased costs, those programs have actually seen a decreased amount of resources allocated to them. Indeed, since the mid-1970s, hospital spending on support services has dropped. It used to be 27% of the hospital budget; it now stands at 17%. CUPE and the Ontario Council of Hospital Unions have, since 2004, drawn attention to inadequate funding of hospital cleaning staff, given the increased number of patients and increased acuity of illnesses.

Look at some of the lessons learned from Quebec. Quebec doctors indicated that hospital sanitation is the main culprit in spreading *C. difficile*, and it is the key to preventing the spread of the bacteria. Pretty basic stuff here; we're not talking high technology that we're not too

sure works or not. We're talking about basic sanitation: cleaning toilets, cleaning floors, cleaning all surfaces, wheelchairs, beds etc. We have the technology to do this. Now, do we put our money where our mouth is? This is a different question.

In Quebec, the lack of proper hygienic cleaning that resulted from the budget cutbacks that dated, on their part, to the 1990s has resulted in toilets that are not clean, sinks that are not disinfected enough or not even clean. They ended up with *C. difficile*. I'm guessing that when the inquiry is called and we look at the hospitals that have been struggling with *C. difficile*, we may very well point the finger at the same culprit: sanitation in our hospitals.

In some of the Montreal hospitals, the housekeeping staff were stretched so thinly that they were given 37 seconds to clean a toilet. Well, things have changed. They don't do this any more. They realized that an ounce of prevention is worth a pound of cure, and it's a lot easier to keep your hospital facility clean than to deal with the superbugs. Once it hits, it spreads; it becomes an outbreak, people get infected and people die.

Dr. Mark Miller is the head of infection control at Montreal's Jewish General Hospital and a specialist in hospital-acquired infections. He told the *Gazette* that hospitals are just not clean enough: "It's the general sanitation in the hospitals that is under the microscopic eye right now.... You've got fewer housekeepers. You've got less cleaning of patient rooms and less intensive (cleaning)." That was at the time when Quebec was struggling with their outbreak of *C. difficile*. They certainly did not point toward a high-tech solution. They pointed toward keeping our hospitals in good shape, and clean.

Hospital-acquired infection costs a lot of money to treat and costs a lot of heartache for the families that are touched, that get infected, that lose loved ones. Former New York state Lieutenant Governor Betsy McCaughey argued in a June 6, 2005, editorial in the *New York Times* that when hospitals invest in prevention and precaution, "they are rewarded with as much as a tenfold financial return." In their state, hospital-acquired infections have added "about \$30 billion ... to the nation's"—sorry, not the state; the whole United States—"total health costs. This tab will increase rapidly as more infections become drug-resistant."

Back in Canada, researchers estimate that the total attributable cost to treat MRSA infections is about \$14,360 per patient. Again, they point out that part of the solution lies in the meticulous cleaning of equipment in hospital rooms. Researcher Kris Owens, who recently demonstrated that MRSA can live on surfaces for weeks, told the media, "The results of this study clearly demonstrate the need for frequent handwashing and environmental disinfection in health care settings."

In sum, lack of cleaning support puts the sanitation of hospitals at risk and increases the risk of outbreak of hospital-acquired infections. OCHU has long called for the government to bolster cleaning in hospitals and long-



term-care facilities. Unfortunately, the number of workers cleaning Ontario hospitals is still dropping steadily because of years of cutbacks to their particular departments.

C. difficile can spread quickly throughout an institution from patient to patient or from caregiver to patient. The problem is compounded by patients being transferred to multiple institutions and the huge number of part-time staff who are forced to work at more than one facility to make a living. This is particularly true in the long-term-care system, which relies heavily on part-time staff. Front-line health care workers are the backbone of infection control. The government must recognize that fewer staff to disinfect and clean hospitals will open the door to increased hospital infection rates.

Thirdly, the government needs to legislate Ombudsman oversight of hospitals and long-term-care facilities. Did you know that Ontario is the only province in Canada whose Ombudsman does not have a mandate to oversee hospitals? The role of the Ombudsman has evolved over the years; it has evolved in Ontario, and it has evolved throughout the provinces and territories of Canada. But for some reason unknown to me, this government still refuses to give Ombudsman oversight over hospital complaints.

In the May 10, 2008, edition of the *Hamilton Spectator*, our Ombudsman, Mr. Marin, criticized the province's response to the C. difficile outbreak and said—and this is the Ombudsman of Ontario whom I'm quoting: "This is exactly the kind of systemic issue which our office would be poised to handle if we had jurisdiction." He recognized the C. difficile outbreak as exactly the type of situation that calls for his office's jurisdiction over hospitals.

Ontario Ombudsman André Marin's office receives many serious complaints regarding hospitals that he cannot investigate. In 2007, there were 228 of those complaints. Giving the Ombudsman oversight of hospitals and long-term-care complaints would be one important step in restoring confidence in our health care system.

I've said before that health care is just as much an art as it is a science. At the core of it all, you have a provider who needs to establish a trusting relationship with the client. Once this trust is gone, the opportunity to provide best-quality care is also gone. Once our trust in our hospital system is shaken and weakened, it's a direct attack on the quality of care that those hospitals can provide. Giving Ombudsman oversight of hospital and long-term care would go a big step toward restoring people's faith in our health care system.

1620

Don't get me wrong; I am proud of the health care system we have in Ontario. We have a very good health care system. We have good hospitals that provide good care to hundreds of thousands of people every year. When there's a complaint, your first line is to talk to your health care provider. If the complaint cannot be resolved,

every hospital has a way to handle complaints and they can help to bring a resolution.

When that doesn't work, then people want a neutral third party to hear their complaints and give them closure. This is what Ombudsman oversight would do. We don't wish for any more C. difficile outbreaks; I hope there are not going to be any more. When a family has to live through those difficult times—we had Mrs. Linda Del Grande with us last Friday talking about the horrific experience of her father in one of Toronto's hospitals. That was a healthy elderly gentleman who went into the hospital because he had a urinary tract problem. He caught three bouts of C. difficile and ended up dying in hospital. That was a tragedy for this family. Our best wishes are with this family.

When Mrs. Del Grande came and talked to the media, what she talked about was that this had shaken her confidence in the hospital system. When you lose this confidence, it's important to have access to a neutral third party which you know will be there to defend your rights. When you bring a complaint to a long-term-care facility or a hospital, there's not an equal relationship there; there's a power imbalance. The hospital or the long-term-care facility tends to be a lot more powerful and knowledgeable than the complainant. To have a neutral third party such as the Ombudsman listen to those complaints gives people an opportunity to be heard, to bring closure and to restore confidence in our hospital system for those families where the system has let them down.

In conclusion, an inquiry is important, but it doesn't go far enough. The government needs to implement mandatory reporting immediately, increase funding for cleaning staff and extend the Ombudsman's oversight responsibility to include hospitals.

I will save a few minutes of my allocated time for my colleague MPP Andrea Horwath. Thank you.

**Ms. Laurel C. Broten:** I am pleased to rise and join in the debate. I want to start by expressing my personal sympathy, as all of us on all sides of the House, for any families in the province whose loved ones might have suffered the effects of C. difficile. I want to share with Ontarians, and those families in particular, the actions that our government is taking to make sure that we as a province respond appropriately to this outbreak and circumstances in the province—something that is a challenge across the health care system.

We listen to the advice of experts in the area of disease management, infectious disease control initiatives and public health when we make determinations as to how we should take action and move forward in an aggressive and concerted manner to make the fastest progress we can in response to this.

Some of those experts include the chief medical officers of health and the coroner's office, who have both stated that a public inquiry would not help us move any faster to public reporting and would not provide any new information to health care providers. There have already been three independent investigations into C. difficile:



the Sault coroner's jury, the Joseph Brant hospital investigation and the Provincial Infectious Diseases Advisory Committee recommendations.

As I have said, now is the time to act. It is not the time for more theatrics. It is not the time for more discussions. It is the time to take action, and that is exactly what we are doing.

I think the words of Dr. Richard Schabas, the medical officer of health for Hastings and Prince Edward counties, ring very true when we consider the debate we're having in this Legislature today. He said in an interview with CHCH TV on May 26, and Dr. Schabas knows what he's talking about because he was the province's medical officer of health during the SARS outbreak: "I'm not sure a public inquiry is necessarily the next logical step. They often make for good theatre but they don't get us where we need to go, which is to address the problem in a vigorous and effective way, and I think largely we already know what the underlying problems are with C. difficile."

I would say that it is the commitment of this government to act on what we already know, to take those critical initiatives, because it is important that we move forward in meeting the needs and maintaining the confidence that Ontarians should have, and do have, I would suggest, in their health care system.

We've announced full public reporting on eight patient safety indicators as part of a comprehensive plan to create an unprecedented level of transparency in Ontario's hospitals. We will be requiring mandatory public reporting of C. difficile by September 30, in line with what hospitals and health care providers—give them some time to get ready for this mandatory reporting.

I think all of us who are standing here on June 10 know how quickly September 30 will be here, but we're not waiting until September 30 to take action. We'll also be requiring mandatory public reporting of MRSA, VRE and individual hospital mortality rates by December 31, and we'll be requiring mandatory public reporting on central line infection, ventilator-assisted pneumonia, surgical site infection rates and hand hygiene by April 30, 2009. Dr. Michael Baker will be our executive lead in patient safety, and his first task will be to work with the experts in the field to address infectious diseases. We have launched the Just Clean Your Hands campaign. We funded 137 infection control practitioners. We formed the Provincial Infectious Diseases Advisory Committee. We've created 14 infection control networks.

I think you can see we take this very seriously. We've taken concrete, aggressive action. We're moving forward with the knowledge base that we have to make sure we best protect Ontario patients and make sure they have the health care system they need and deserve and, frankly, the health care system that they voted strongly in favour of in October last year, when they put our government back in office, a government that has worked very hard to return public confidence to a system that was very devastated under the previous Conservative government.

I thank you for the opportunity I've had to speak to this issue today and look forward to continued debate.

**Mrs. Joyce Savoline:** It is with a heavy heart that I rise today to speak on behalf of all the people who have been afflicted, in some cases numerous times, with C. difficile, and the families who have lost loved ones to the outbreak that this government is unwilling to acknowledge. It is an absolute outrage and an insult to our seniors who have worked hard to build our communities and have paid into this health care system. For generations they've paid, to be left vulnerable to this devastating disease.

Seniors are one of the highest-risk groups for contracting this disease. They and their surviving family members deserve to know why they have suffered so horribly for so long without any answers. The Minister of Health has failed these families, to the extent that they are coming to this Legislature and facing the minister in an attempt to be heard and to avoid watching other families experience this tragedy in their own lives.

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I'm going to share with you the stories of the survivors of C. difficile and the families who have lost loved ones to this tragic circumstance.

Jack Elliott: Jack Elliott was a spry man, enjoying the fruits of his labour with his lovely wife, Dorothy. He wanted to have knee surgery. Why? So that he could keep up with her on their travels as they went to countries where there were cobblestones, which were slowing him down. Jack entered the hospital for elective knee surgery and contracted C. difficile, which led to a subsequent heart attack. Jack Elliott never came out of hospital. Jack knew that there was an infection control expert in the hospital. Jack asked to see this person. He was told that the infection control expert only visits you after you have contracted the disease for a second time.

This is where I must interject into Jack's story. I believe that it is the role of an infection control specialist to avoid contracting any disease—it is things like this that make me wonder how the Minister of Health can stand in his place in this Legislature and tell us that he is doing everything he can, because clearly his ministry-appointed infectious disease staffers are not. Jack asked for a doctor. He knew he was dying. When the code blue rang over the loudspeaker, the doctor did come, but he came to pronounce Jack dead. Jack Elliott did not look like the man his wife had married 40 years previously. His abdomen was distended; his hands were so swollen that he could not wear his cherished wedding ring on his finger any longer. His family, who were unable to comfort him with their touch in his last days, deserve answers now.

Similar tragedies have taken place in hospitals across this province on the Honourable George Smitherman's watch. Fern Merchant, Jack's daughter, brought his picture here a few weeks ago to show the minister that victims of this terrible bacteria have a face and the families left behind are mourning their loss, and they have a face too. Survivors and their families have been e-



mailing me from across Ontario. They know that *C. difficile* is not confined to just a few hospitals, and today the PC caucus is standing in support of their pleas for a province-wide inquiry. Our seniors are entering hospitals throughout Ontario for elective procedures, and they are not coming out.

*C. difficile* is an ugly bacteria and an agonizing death. Those who are fortunate enough to have survived are left a shell of their former selves. One victim, a strapping former football player with many active years ahead of him, has been decimated by *C. difficile*. At the height of his infection, he could barely lift his head off the pillow. He had shed 80 pounds and could not bring himself to eat. The medication that saved his life is only covered by the Ontario health insurance plan while he is in the hospital. Once released, he was forced to pay \$740 for a 30-day supply of this life-saving medication. What is that about? I would argue that this is one of those points that both an ombudsman and a provincial inquiry would point to as inexcusable. If you contract a disease or bacteria in a hospital in the province of Ontario, I would expect that your treatment would continue to be covered by OHIP once you leave the hospital.

On behalf of my constituent, I suggest that the Minister of Health absorb the cost of the drug Vancomycin for any patients who have contracted *C. difficile* in the province of Ontario. These survivors do not have the time and they do not have the energy to fight the Minister of Health in the courtroom over drug coverage. Given the lack of attention paid to this issue by the Minister of Health, it is, in my opinion, the least he could do.

Victor Ansell: Victor Ansell was a healthy 84-year-old man. He was an RAF bomber squadron pilot who actually survived the perils of World War II only to have the misfortune of breaking his hip. He contracted *C. difficile* during or after his surgery. Mr. Ansell never left the hospital. He was not on any medication, he was an active man and he leaves behind a grieving son and his family.

Where are the answers for these families? How many families need to experience similar tragedies before the minister takes action and gets to the root cause of the problem? We are all elected to serve the needs of our constituents, but the minister has taken an oath to protect the health and well-being of every Ontarian.

In a post-SARS world, you have stood in this Legislature and told us on that side that your ministry is ready for whatever infectious disease comes our way, and then, when it happens, nothing happens—nothing for the families who have lost loved ones, nothing for the survivors struggling to regain their health.

This government has given us pat answers, empty platitudes and rhetoric, but little else. In fact, there was a cowering of the minister behind the coattails of a staffer when faced with the prospect of being confronted by Mrs. Elliott and her daughter Fern, until the media pressured him to face up to his obligations.

There is a slim chance that the minister may want to grant the survivors of *C. difficile* and their families the

closure they deserve. Is it possible that the Premier's office is forbidding anybody from taking that action? Well, that would be a grave mistake, because the PC caucus is serving you notice today, here in this place, that we will not forget the survivors, we will not forget the families and we will not let the Ontario public forget that you have failed to protect them.

I implore the minister to take action now, if not to provide closure to those who have suffered through this disease, then at least to preserve his own legacy. Regardless who is withholding this final decision, make no mistake, it is the minister who will be saddled with this shameful record.

**Ms. Andrea Horwath:** I appreciate the opportunity to talk a little bit about this issue, the *C. difficile* motion that was brought forward by the Progressive Conservative caucus to try to get the government to see the wisdom of having an inquiry into this tragedy that occurred in Ontario.

I felt it important to be able to get up and make a few comments, because the face of this tragedy played out in my local newspaper day after day. Of course, the city of Hamilton is a sister, a neighbour, to Joseph Brant hospital. You just kind of jump over the Skyway Bridge and there you are. Not only was it very close in terms of proximity to my community, but many of the people who live in Burlington once lived in Hamilton and vice versa. It's quite a well-connected set of communities, if you will. So as the horrifying details of this infection were relayed to all of us in Hamilton through reading our newspaper, many of us were just stunned by the pain and suffering that was being revealed.

The pain and suffering of the families, I think, is something that we can never forget and that we can never put aside as we debate these issues and as we try to determine what steps need to be taken. I think it's important that we acknowledge and recognize that inquiries are called for a certain purpose, and that purpose is to actually do the learning. I know the minister has risen in his place a couple of times saying, "We don't really need to do that learning; we already have a lot of information."

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I think it's actually incumbent upon the government and the minister to have the conversations with these families through the inquiry, to talk to them about what their experiences were. I think we would all agree that we feel extremely sorrowful for their loss, for their pain and suffering, and also for the families who didn't lose someone, the 177-odd families that were affected at Joseph Brant. We know there were about 62 deaths, but there were others who managed to escape that sentence during this crisis. The reality is that we need to speak to those families. We need to talk to them in the context of what they saw going on in hospital when they and/or their loved ones were being affected—or infected—by *C. difficile*.

Yes, this is about the health care system. This is about the problem that we have in managing infectious disease



in the health care system, and in hospitals particularly. But this is also a human issue. This is about trying to have the humanity to engage in the conversation and make those people feel and know that their government, the people who make the laws in Ontario, are interested enough in their everyday experience, in the layperson's perspective on what happened, to have the inquiry and to get those voices into the mix when it comes to deciding what to do to make things better in Ontario with regards to *C. difficile* and other infectious disease.

It's about making things better. It's about making things better so that people who go to hospital to get better know that that's what's going to happen when they're being cared for in hospital. Nobody in Ontario, nobody at all, I think, expects that when they go to hospital, whether it's for a minor procedure or a major procedure, they're going to come out worse off, or that they may not come out of the hospital at all as a result of contracting a disease within the hospital that made them worse and not better, that made them sicker and did not heal them.

That is the problem we have now. There's a lack of confidence in the hospital system. That lack of confidence will continue until we get to the bottom of what happened and then put that into the perspective of how we fix it for the future. That, I think, is key.

It's key, because overlaying all of this, we have the context of the health tax that this government put in place. People are saying to me, "Here we've been paying extra dollars in our health tax, being assured by the government that this money is all going into health"—which we know it isn't—"yet, lo and behold, after the health tax is implemented"—a very unfair health tax, by the way, one that unfairly financially burdens lower-income families in comparison to higher-income families. Nonetheless, people say, "Well, hold on a minute. We're investing more. The government tells us they're investing more in health care. They're certainly taking more and putting it in the government coffers. Yet we have a disaster like what happened at Joseph Brant hospital and other hospitals in Ontario, taking place—what?—two, three or four years after the implementation of the health tax." That's why this situation cries out for real action from the government.

The member for Burlington did a good job of describing some of the situations that occurred, some of the horrifying realities that people either watched their loved ones deal with or tried to survive through, as well as the people who are actually having those symptoms when they are in hospital with *C. difficile*, which they contracted there.

I can tell you, I have my own personal story of a loved one. She did not contract *C. difficile* in a hospital but she contracted MRSA in a hospital. That person was my own mom. This happened about two years ago. She went in for maybe not a routine procedure, but for surgery. She was told that if they can do this laparoscopy, this procedure, she'll be in and out within three days max. Well, of course, surgery gets scheduled, Mom gets put

out, goes into the operating room and, lo and behold, they can't do the surgery laparoscopically, so they have to do quite a more invasive procedure with my mom. Fine. We're told that she'll be in for about five to seven days, depending on her recovery. After three days, she was starting to look a little better; she was starting to heal. Major surgery for a woman who is about 70 years old is difficult no matter what. She has borderline diabetes—okay, Mom, I'm not going to tell everybody your whole health history; I promise. But the reality is, there were some complicating factors. After three days or so, she was looking better, and on the fourth day, all of a sudden, she took a turn for the worse.

She suffered enormously day after day after day. My sister and brothers and I really did not know what to do or where to turn. It was not something where the hospital came out and said, any time early on in the process, that she had MRSA and that she had contracted it at the hospital. We didn't find that out until well into the process, after much grilling, how this could have gone so terribly wrong and what exactly the problem was. She spent over six weeks in the hospital. And we were lucky, because near the touch-and-go point, when we weren't sure whether she was going to make it through or not, some of the doctors were suggesting that maybe they should open her back up again. But everybody knew that if they did that, the chances of her survival were going to go even further down.

Although I certainly wouldn't suggest that the experience I had and my mom had is the same as what has happened with the *C. difficile* situation, I can tell you that these infectious diseases that are running rampant in our hospitals in Ontario have to be dealt with. And so, yes, New Democrats are going to support the motion put forward by the official opposition, because we think that not only is it important to do the investigation, to get the inquiry going, but we think it's important to hear the voices of those families and people who were affected. We don't think that there's been a lot of that. It's been done through the media, but we think the government needs to take responsibility for hearing from those families and understanding what they were going through and how to make it better from the perspective of the customer, if you will, of our hospital system, which is the people of Ontario.

What we also need is the government to speed up the implementation of the immediate reporting of these situations in hospitals. There's nothing at all to stop the minister from tomorrow sending out a directive to the Ontario Hospital Association and all of the hospitals of Ontario that says, "Starting June 15 or July 1, you have to start reporting on your websites and reporting publicly the incidences of MRSA, *C. difficile* and VRE." What would be so hard about that? But no: "We're going to drag our feet. We're going to stretch it along." We're sorry, but we just don't think that's good enough. We think there are things that have to happen immediately, and one of them is the immediate reporting.



My colleague from Nickel Belt, our health critic, put on the record very clearly what we see as a systemic problem within the health system. And mark my words, it's going to get worse with the implementation of more P3 hospitals in the province of Ontario, where the cleaning function gets hived off to the lowest bidder as part of their amalgam of contracted services, which get put together as a model for private sector hospital services. I've got to say, I'm worried about that. We know already that housekeeping and cleaning are a major part of this problem. We know that quality control in that area needs to be upgraded significantly. But we also know that when you're trying to save a buck, you're cutting corners. You're cutting corners and you're cutting staff. We are very, very concerned that this government's penchant for privately operated hospitals is going to cause a great increase in these kinds of incidents. So we need to rethink that.

I would hope that as the auditor looks at these issues in time, he's going to find a recommendation strongly against the hiving off of these services to separate and totally different entities from the main operation of the hospital. It's going to be a huge mistake, and it's going to be on the backs of this government and the one before them that took us down this road in the first place.

Finally, we believe that there is an office in Ontario that can help us right now to start providing the kind of transparency, the kind of accountability, the kind of oversight that we just don't see with hospital boards in communities across the province. Different boards are different and some very respected, well-renowned people sit on hospital boards in hospital jurisdictions or in the cities and LHINs across the province. But I've got to tell you, people don't have any clue who those people are, generally speaking. There's very little accountability. There's very little public participation in hospital boards. They're not elected bodies.

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Quite frankly, one of the things that this government can do immediately is expand the scope of the Ombudsman of Ontario, a place where there sits already the expertise, the ability, the proof of the office in terms of getting into the systemic problems that exist in large organizations and in small organizations. We know we have an Ombudsman. Let's use the Ombudsman.

Yes, we will support this motion, but we believe there are a number of things that we need to do and that this minister needs to do today to begin to deal with this crisis in Ontario.

**Mr. David Oraziatti:** I'm pleased today to have the opportunity to speak to the opposition day motion with regard to this issue. On this side of the House, we take this issue very seriously, contrary to some of the comments that are coming from the opposition benches about our government being not interested in acknowledging or being concerned about this particular issue.

I want to highlight a couple of the things that we've done that I think very clearly demonstrate our commitment to ensuring patient safety in the province of Ontario

and highlight some of the investments we've made around this issue, as well as the work by many of the experts in the field who have made recommendations that in the case of the particular hospital in my riding, the Sault Area Hospital, have already been implemented and have been validated by the Office of the Chief Coroner.

First of all, I want to say that the Conservative motion is not going to help us deal more effectively with this issue because this investigative process has already taken place. Certainly, in the case of Sault Area Hospital, a full and thorough investigation by the chief coroner's office has been followed through on and those recommendations have been made available for all hospitals in the province of Ontario to review. I think it's very clear by our government's record that we're certainly continuing to move forward with openness, transparency and accountability when it comes to infection control in the province of Ontario.

As I hear the opposition members talking about another study, another inquiry, more recommendations, more reports—that's not what we need. People need action. They need these recommendations implemented. The recommendations are out there. We're all very much aware of how this disease is spread and how we can prevent it, reduce it, and those recommendations are being implemented. In the case, as I've said, of the Sault Area Hospital, they've certainly been implemented.

The chief medical officer of health and the coroner's office have stated that a public inquiry would not help us move any faster to public reporting and would not provide any new information to health care providers. So, while it makes for good theatrics here in the Legislature to have the opposition members suggest that this is important to do because they feel it's convenient to do this, it really does not add to the importance of the dialogue and the moving forward effectively with recommendations that need to be implemented to improve patient safety in the province of Ontario.

I'm certainly taking my advice from medical experts in the field and not from other members in the Legislature when it comes to these types of decisions. Politicians should not be making these decisions. Experts in the health field should be making these decisions that will help us move forward with better patient infection control. I think that's important to recognize.

There have already been three independent investigations into C. difficile: the Sault coroner's jury, the Joseph Brant hospital investigation and the Provincial Infectious Diseases Advisory Committee recommendations. Let's get on with the implementation. Let's work to build capacity in our hospitals, to build the capacity for the reporting processes that we are moving forward with, with eight additional areas of reporting for hospitals in the province of Ontario. Let's not get bogged down and tripped up on further investigation, further inquiries and further studies, because we know what the recommendations say. We know what the coroner's office is saying.

*Interjections.*



**Mr. David Oraziatti:** I see that members in the opposition aren't interested in supporting what the coroner's office is saying in terms of how we should move forward. That's the message that I get today. The motion, I think, in many ways is redundant, because we know what we need to do to help prevent these types of infections in the province of Ontario.

In my riding in Sault Ste. Marie, the Sault Area Hospital has taken steps to protect patient safety. In fact, the chief coroner's observations were consistent with SAH's findings at the start of the outbreak and support the plan that the hospital has in partnership with the Ministry of Health. The plan, which was developed with the assistance of Dr. Michael Gardam—I'm speaking with respect to the Sault Area Hospital experience. Dr. Michael Gardam is an infection control expert who made 29 recommendations dealing with a wide range of changes, which have all now been implemented.

I'm very pleased that we're moving forward in this regard. I also think it's important to recognize that in Sault Ste. Marie we're providing funding for a new hospital, and in the new hospital, we're going to have double the single-bed room capacity that we had in the old hospital—about 25% of the beds were single-room beds, and in the new hospital, about 50% of the beds are going to be single room. Everyone knows that there is a correlation between overcrowding in hospitals and availability of single rooms. The opposition party had eight years to move forward on a new hospital in my community. It didn't go anywhere. I'm not sure how many hospitals the NDP built, but I don't think it was very many, if any at all. Frankly, I don't know what a \$3-billion cut to health care funding is going to do to help us move forward with the additional infrastructure and resources that we need to improve health care in Ontario.

So I will not be supporting the opposition motion. I'm going to be listening to recommendations from medical health experts in the province of Ontario.

**Ms. Laurie Scott:** I'm pleased to join in the debate today that an independent investigation into the sad and tragic deaths caused by the outbreak of C. difficile in Ontario hospitals be done by the McGuinty government and reported back to the Legislature in 90 days.

It's regrettable that it's now June 10, and an opposition day motion is needed to bring attention to this matter that this Premier and the Minister of Health have known about since 2004. Four years and over 260 deaths later, the minister still has no desire to grasp the importance of this issue. Just a few short weeks ago in this chamber, we discussed how the Minister of Health Promotion isn't doing her job of protecting the health of Ontarians, and today we're debating the Ministry of Health and Long-Term Care's same style and approach.

Yesterday, I asked the Premier in the Legislature here about an investigation into the deaths of at least 260 Ontarians due to C. difficile. He referenced an investigation into this matter as "good theatre." I see that his Liberal colleagues are reading their scripts and they're also calling it "good theatre." I've heard other Liberal

members say that this afternoon. This is a Liberal Premier who has broken more promises than anybody else in the history of Ontario. He has the nerve to refer to an investigation into the deaths of four times as many people as died from SARS as "good theatre." You guys should hang your heads in shame.

Let's talk about theatre here for a couple of minutes. You let those deaths happen under your watch, when you knew better in 2004. You knew better. You were told—and you didn't. Now, let's refer to some of the people in the Legislature, the Liberals, who have used good drama in the past. Let's take the House leader, Mr. Bryant, whose theatrics are unmatched. We've all seen him. We know he practised this many times. In June 2003, he said that the only way to get to the truth is to have a public inquiry. So, I say to the Liberal House leader, what's the problem? Why aren't we having a public inquiry? Was that just play-acting?

Let me see. Here's some theatre: When referring to a public inquiry, a Liberal MPP stated that "anything less than this would amount to nothing more than an absolute cover-up and stonewall on the part of the government of Ontario." This was Dwight Duncan in 2000.

Let me add another one. The finance minister's profound yet theatrical opposition pointed out more than 10 years ago that "there is no compelling reason why the government cannot and should not call a public inquiry." Despite the insincerity of the member, I can't disagree with that statement. What I can agree with is the fact that, like so many of his Liberal caucus colleagues, he said one thing while he was in opposition, and now he feels he doesn't need to be responsible to the people of Ontario.

Let me see: another Liberal member, referring to 30 deaths from SARS. "It is perfectly reasonable for you to call a public inquiry. Do it in the name of the people who did die. Do it in the name of the health care workers who were on the front line," said the now Minister of Economic Development and Trade in 2003. Wow. Isn't it interesting that she doesn't feel the same way today, despite the fact that nearly 10 times more Ontarians have died from C. difficile.

1700

But hang on; she wasn't done. Let me quote her again: "These are significant, tough questions.... The only way that we will get to this is through a public inquiry." And today? She's nowhere near as dramatic. As a matter of fact, she's silent and she's not being accountable to the people of Ontario.

There are more encore performances by the members opposite. We've waited long enough; we deserve to hear some theatrics from Mr. McGuinty: "Public inquiries give us facts on what happened in the past, and they give us valuable recommendations for the future. They give the public the answers that they desire and to which I believe they are entitled." This is the Premier that, when in opposition and after, passionately discussed the fact that 23 deaths occurred from SARS. He went on to say, "We all share a very heavy responsibility to learn from



this tragedy.... The holding of a public inquiry will help us do just that.”

In case you missed it, I will repeat again—and you can look in Hansard—yesterday he said a public inquiry was “theatre.” What a change in the Premier’s passionate view. His accountability changed the minute he walked across the floor. The difference today—and his Minister of Health is being held to the fire on accountability in Ontario—is that nearly 10 times as many deaths have occurred from an infectious disease he has known about since 2004 as occurred during the SARS scare. So today I say to the Premier and the Liberal members I’ve mentioned, if you truly believe in what you’ve said in the past, you will support today’s motion.

I want to close quickly by saying that the dramatic statement from the Minister of Health and Long-Term Care, the minister whose level of concern for the care of elderly Ontarians is summed up by the fact that he said he would wear a diaper—there’s no good excuse to reject the call for a public inquiry, said Mr. Smitherman.

The show’s over, Mr. Speaker.

**Mr. Yasir Naqvi:** Thank you for giving me the opportunity to speak on this motion. At the outset, I’d like to state that I will be voting against this particular motion.

Before I get into the reasons that I will be voting against the motion, let me start by thanking our health care professionals—our doctors, our nurses—who work very hard to ensure that our hospitals are places where people go to get the best medical care in the world. Despite all the difficulties, despite the cutbacks from the past, from the Conservative government, they have always banded together to provide the best service possible.

I speak from experience. Not that long ago, my father had to go to the hospital in Hamilton due to a heart emergency, and given that he had recently received some treatment in a hospital in another country, the hospital staff were extremely careful to ensure that he was properly quarantined and other patients were not being put at risk due to what he may have been exposed to. I was extremely impressed by the precautions and various steps which were taken by the hospital staff.

We are looking at a situation in Ontario where a number of investigations have been undertaken in order to determine the causes of *C. difficile* in our hospitals, and this is not the time to have more public inquiries and investigations and that sort of stuff. That is not going to solve the issue at hand. What we need to do is act. We need to ensure that we provide our hospitals and our health care workers the proper tools necessary to ensure that public health is properly maintained. That is why we have seen the requirements for mandatory public reporting, starting by September 30, in terms of *C. difficile*, MRSA, VRE, and other steps which have been taken by various hospitals.

If I could just talk about the Ottawa Hospital and the steps they have taken in terms of infection control, Ottawa Hospital is nationally recognized for its leadership in infection control. They have a very effective

infection prevention and control program, which is a key component to their quality patient care. The program helps ensure the protection of patients, health care workers, staff and visitors from preventable nosocomial disease, through surveillance, education, consultation, outbreak investigation, research, and the development of policies and procedures. There are a total of eight infection control practitioners in the Ottawa area in various hospitals ensuring that infection such as *C. difficile* is properly controlled.

To combat this global rise in infection rates, the Ottawa Hospital has also implemented several measures to address infection rates, including hand hygiene programs with increased access to alcohol gel; screening patients in admissions for silent carriage of resistant organisms; use of single rooms, gowns and gloves to control transmission; renovations to patient care areas; increased housekeeping resources; and education awareness campaigns for patients and health care providers.

These are the kinds of initiatives that we need to ensure and provide the essential tools necessary to our health care providers, not to mention to keep investing in our health care system, which very much has been a key mark of this McGuinty government. Since 2003, in Ottawa alone we have spent millions and millions of dollars in our health care system.

Just this morning, I’m very proud that Premier McGuinty announced an addiction strategy for our youth in Ottawa, dedicating \$5.5 million in a whole addiction strategy, providing treatment beds for youth 13 to 17 years old, making sure that we provide for outreach and prevention of substance abuse in our schools for kids, and supportive housing to ensure that we continue to build a healthy community, a healthy Ontario.

That is why infection control in our hospitals is important, and that’s why we don’t need more investigations. What we need is to provide tools to our health care providers so they can continue the excellent job they do. In Ottawa, we have seen some very positive results in that regard.

**Mr. John O’Toole:** I want to put some context into the debate this afternoon on the opposition day motion. The remarks pretty well summarized by our critic, Elizabeth Witmer, are something that the public should be aware of. She’s been leading the fight on this and it’s being ignored by the McGuinty government. That’s basically the context, but the history here in these rash outbreaks in the health care system—you have to look to the history to know the future, because the best predictor of future behaviour is past behaviour.

But this is a real contradiction, because if you look at 2003 and you look at Mr. Smitherman at the time in opposition in the SARS outbreak—I think it was 44 lives at stake, and a very short timeline ramp-up to it. Little was known about it by anyone, including the medical officers of health. It was difficult, yet defined—but there was an inquiry called and quick action was taken under the leadership of Elizabeth Witmer. That’s the history.



Now, what provoked that? I have to give the opposition of that day, Mr. Smitherman, some credit when, on May 6, he called for the inquiry, and we responded. So if you look at our motion today, that's really all we're talking about. It was two or three weeks, but the point is, in these things they should drop the political rhetoric and do the right thing.

I'm concerned now because with C. difficile there's no information available to the public. There are no reporting requirements. There's no accountability—a typical failure of leadership here, a failure to report to the people of Ontario on a threat to families. I'm going to bring a specific case to this, but 14 hospitals have voluntarily reported and we have 306 deaths. What are we doing? Nothing. Yes, they've had an expert, Dr. Michael Baker, and he has reported and has called exactly what Mr. Smitherman should be doing, and he's not following his advice.

But I want to put a real human face to this tragedy. I have a constituent I haven't seen for some time whom I used to work with at General Motors. His name is Vic Humphreys. Mr. Humphreys sent me an e-mail and also gave me full permission to use the sad statement that I'm about to read. His mother died in March. She contracted C. difficile, was diagnosed at Oshawa General Hospital and died on March 15, 2008. It's a tragedy and I express our sympathy. It reminds me of our need to express sympathy to the families and groups of people affected by C. difficile. Are they getting the proper supports today? That's my first instinct.

It isn't political jabber that's going on here. And Mr. Humphreys took the time to bring the tragedy of this whole thing. Here's the case: His mother is since deceased. I'll read it because I want to get it right.

1710

"My father who is 94 and currently a resident in a nursing home"—in Port Hope, in long-term care—"is suffering from what can only be described as 'chronic C. difficile.'"

His mother got it and, I believe, infected the father—he was sent to Scarborough Centenary Hospital, where he contracted it—C. difficile. They discharged him from there to the long-term-care home where his mother was. The mother had it, he had it, and they're in long-term care. How many other people in that Port Hope long-term-care facility might have the same problem? Because he contracted the virus at Rouge Valley. He was given a drug in the hospital. This is the most important thing: "The hospital deemed him to be ready for discharge and he was sent to a nursing home. At this time he has been given three courses of Vancomycin...." He did not have to pay for it and yet, when he was sent home, he had to pay \$1,000 for it—not covered under any plan. This is two-tier health. Those who can afford it stay alive and those who can't, die. That's what the minister is doing. It's not just the actual C. difficile issue; it's the treatment. Modalities are very expensive. They're not covered. Those who have plans can pay for it and might live longer, and

those that don't—and by the way, the rest of the people are affected for the rest of their lives.

I have other cases and the member from York North has a similar story. This is about people's lives. We're calling for an inquiry to put a stop to this and bring some accountability to this important health care outbreak.

**Mrs. Liz Sandals:** I am pleased to rise and speak to this item today. I think it's important that we recognize that as we're here this afternoon having this debate about C. difficile, everyone in this chamber is agreed that it is a very important issue, that it is a serious health care issue and that we need to address it, that we need to support Ontario's hospitals in addressing the problem of C. difficile and other infections that are spread in hospitals.

Where the point of disagreement comes is on what is the most effective way of getting on with addressing the problem of C. difficile. We in the government believe that a public inquiry is not necessarily the best way of getting on with it. What a public inquiry would do is give us a very lengthy process when we discuss what the problem is and what we should do with it. In fact, that has already happened in this province three times; we don't need to do it a fourth time. So my colleague from Sault Ste. Marie talked about the fact that there was already a coroner's inquest in that city concerning hospital deaths related to C. difficile. That was a very public process, and the coroner's jury presented recommendations on how we should address it which are quite public. There was an investigation into some C. difficile deaths at the Joseph Brant hospital. Again, the information is public; the recommendations were public. I did note that the member from Kitchener-Waterloo has referenced several times today the actions of the health minister in Northern Ireland, who I take it—and I have no reason to disbelieve her—appointed an expert panel to look at the issue in Northern Ireland. This is a worldwide problem. I would point out that essentially the same thing has already happened here in Ontario. If anything, we are ahead of the much lauded minister from Northern Ireland, because in fact we have already appointed a Provincial Infectious Diseases Advisory Committee, and that advisory committee, made up of experts—an expert panel, if you will—has already provided us with the recommendations.

So we do in fact have a good idea of what needs to be done. What we need to do is work with hospitals to make sure that we get on with getting those infection control measures in place in each and every hospital in Ontario.

There's also been considerable comment about how many deaths there have been, what we know about the problem, and whether we need more information and how to get at that. I would like to point out that, based on the recommendations of some of these previous investigations, that process is already in place. The Minister of Health has already advised hospitals all around Ontario that they need to provide public reporting of C. difficile infections in each and every hospital, and that reporting will become mandatory by September 30.



While it hasn't been mentioned here this afternoon very much, there are actually some other infectious agents that are often associated with infections that people pick up in hospitals. One is often referred to as MRSA. The third is the VRE. Again, because in different areas we've had different problems, with different germs and hospital mortality rates, all of those will be reported starting December 31, 2008. So in fact the request to provide information and to make that mandatory, and I would add to make that information public, we have already set that in place.

In addition to that, we will be requiring mandatory public reporting for central line infection. Again, sometimes you find infections that occur in hospitals when people get intravenous injections, ventilator-assisted pneumonia, surgical-site infections and hand hygiene. All of these will be reported by April 30, 2009.

I would just say that we are already addressing the problem, and that's what is important, to get on with the implementation of control.

**Mrs. Julia Munro:** In the moments I have, I want to leave a couple of messages. We've already looked at the fact that for many of the members opposite it's a question of, "That was then, this is now," in terms of the kind of quotes they provide when we look back at the requests they made for an inquiry into SARS.

But I want to talk about a family in my riding. It was one of those classic cases of someone who went into the hospital, in this case to be treated for a quadruple bypass, and having successfully survived the surgery, was then a victim of *C. difficile*. One of the things that struck the family—and we had a conversation about this—was the kind of inconsistency within the hospital in terms of isolation, whether people approached him gowned or not gowned.

It struck me as a contrast to the time of the SARS outbreak in Toronto. Not only is there the question of the years of this government ignoring *C. difficile*, as opposed to the prompt reaction we had towards SARS, but also the protocols that were put in place. I certainly remember that everyone who came in contact with anyone was gowned, masked and gloved. This government is now saying, "We're going to act, yes. We don't need an inquiry," but then you can have patients who can tell you that there isn't a protocol. Some are gowned, some aren't.

It just speaks to the fact that this government has come late in this process. They have allowed all of the reports to go unchallenged and unmet. They have allowed people in this province—200 or more, frankly—to lose their lives. It's really a question of supporting this motion today.

1720

**Mr. Bill Mauro:** Let me begin today by also extending my sympathies to the families who have been affected by *C. difficile* and find themselves obviously in some very difficult circumstances.

But I do appreciate the opportunity to speak to this motion today, although I must say I'm a bit surprised by

what seems to be a bit of an odd choice to me for a motion from the official opposition—which is the second consecutive odd choice, I might say. Last week we saw the official opposition bring forward a motion dealing with rural school closures in Ontario. This, coming from a party that—at the end of their mandate, we found ourselves in a situation with about 15,000 fewer teachers working in the system at a time of increasing enrolment. Of course, during our period, where there is declining enrolment, we are seeing an incredible level of investment in rural schools on top of what was already there before. And yet under that circumstance, they brought forward that motion; a bit of an odd choice, I would expect.

Today we see ourselves here today with another motion that's interesting: a health-care-related motion brought forward by the member from Kitchener-Waterloo, coming from the official opposition—again, a party which is interested in taking \$3 billion out of the health care system. I guess there's a link between \$3 billion and an ability to fix these kinds of issues, as they see it. I'm not quite sure how those two things connect.

I have to tell you, it is a bit difficult for me as a member from northern Ontario to sit here and watch the official opposition bring forward motions related to health care. As someone who comes from Thunder Bay, I had first-hand experience of how that party, when they were in government, dealt with health-care-related issues as part of a whole host of issues that they dealt with.

I can go back to the Northern Ontario School of Medicine. I can tell you, when I was a member of city council, that member who brought forward this motion today, who was the health minister at that time—and I remember being a member of city council who came down to have a meeting with that particular minister, and the dismissive attitude that we received when we were trying to achieve a medical school campus for Thunder Bay. I remember it very clearly. I also remember the former member whom they had appointed to lead the charge on that—Jim Gordon, I think was his name; a member from Sudbury who used to sit in this chamber beside Mike Harris. What did that guy do when he made a recommendation back to them? I was attending those meetings on behalf of the city of Thunder Bay while we were trying to get a medical school campus for our community. I remember it very clearly. On behalf of the mayor, I attended those meetings, and then I would leave those meetings and I'd go back to the mayor and I'd say, "This gentleman's a snake oil salesman; we're not going to get the medical school campus. This guy's selling snake oil." Sure enough, what happened a short time later? Jim Gordon, on behalf of that minister who brought this motion forward today, announced publicly that the city of Thunder Bay was not going to get a campus for the medical school. That's how they attended to health care issues in northern Ontario. That's what they did: publicly announced it. And yet today if you talk to them about what they did when they were in government, they'll tell you that they supported the



Northern Ontario Medical School and that it was they who are responsible for the establishment of the medical school in Thunder Bay when just the opposite was the case. They publicly announced that they wouldn't do it, and yet today they crow and they walk around and strut around this place like they attended to the issues in Thunder Bay and northern Ontario.

The same thing with the new hospital; they do it on the new hospital as well. They publicly announced that they wouldn't build a new hospital for us. They publicly announced that they wanted to retrofit a 50-year-old building—that's what they wanted to do when that member was the health minister—and eliminate 200 to 300 acute care beds in our community. That's the reaction we got from them, and yet still they come here today and they bring forward, as their idea for an opposition day motion, a health care issue when they dumped all over the people of Thunder Bay and north-western Ontario when they had the opportunity to address these issues. And today, somehow, I'm supposed to figure out rationally in my mind how a party that wants to take \$3 billion out of health care wants to address issues like *C. difficile*. We've had it already: a Soo coroner's jury—

**Mrs. Elizabeth Witmer:** On a point of order, Mr. Speaker: I'm rather shocked at what I'm hearing. I guess the first thing: I would certainly ask the member to withdraw what he has just said. It was our party that made the announcement about the new—

**The Acting Speaker (Mr. Ted Arnott):** I appreciate the information.

I'll return to the member for Thunder Bay—Atikokan, who still has the floor.

**Mr. Bill Mauro:** Thank you, Speaker. Unbelievable. She continues to stand up in her place and mislead the people in this—

*Interjections.*

**Mr. Bruce Crozier:** On a point of order, Mr. Speaker: I heard the word "lying" across the floor. Perhaps the honourable member would consider that.

**The Acting Speaker (Mr. Ted Arnott):** I didn't hear it.

I return to the member for Thunder Bay—Atikokan, who has the floor.

**Mr. Bill Mauro:** They publicly announced, that government, that there would not be a campus for the medical school in Thunder Bay; publicly announced that they wanted to retrofit a 50-year-old hospital in Thunder Bay and not build a new hospital and take 200 to 300 acute care beds out of our community. That was the point of your Health Services Restructuring Commission, which visited Thunder Bay before it visited other communities in the province. That's exactly what they did.

On this particular issue, calling for a public inquiry—why? To slow things down even more so that we can't implement what has already been implemented?

**Mrs. Julia Munro:** On a point of order, Mr. Speaker: I would just ask that the debate be on the motion that is before us.

**Interjection:** It is.

**Mrs. Julia Munro:** I haven't heard "*C. difficile*."

**The Acting Speaker (Mr. Ted Arnott):** I appreciate you drawing that to the Speaker's attention, and I would caution the member—

*Interjections.*

**The Acting Speaker (Mr. Ted Arnott):** I would ask the member for Thunder Bay—Atikokan to please take his seat.

I would ask him to make his comments with respect to the text of the motion. I return to the member for Thunder Bay—Atikokan.

**Mr. Bill Mauro:** Thank you, Speaker; I appreciate that. The text of the motion is connected directly to a party that brings forward a motion and is talking about trying to address health care issues in Ontario when they want to take \$3 billion out of health care. Perhaps it's too bad their clock has run out, or they could explain to the people of the province how they could do that.

Speaker, my time is almost up. Three independent investigations into this issue already; we've already begun implementing the recommendations coming from most of those investigations—more to be implemented. A public inquiry would do nothing but slow this down.

I appreciate the time.

**Mrs. Maria Van Bommel:** I also have to stand and speak against this motion. It's very clear in the words of the chief medical officer of the province and the coroner's office when they state that an inquiry will not move this further or faster along, and I absolutely agree with that.

One of the members talked about "good theatre." There is a place and a time for an inquiry, but I also think that the public has become very wary about the cost benefit of inquiries, especially when the answers and the solutions are there and we need to move with them rather than slow things down by having inquiries.

Hospitals do provide the primary control on this. They are the ones who know the risks, and they have been trying to develop strategies and implement infection control strategies and processes for their hospitals. I want to take two of my own hospitals in my riding into consideration when I talk about that, and those are the two hospitals within the Middlesex Hospital Alliance. They're both small rural hospitals. They've been recognized by the Ontario Hospital Association for the work they've been doing on infection control. They've been partnered in the last five years with 3M through infection prevention services to conduct a complete assessment and analysis of prevention and control of infection.

I want to bring into the record what their data is. Their data is already published for the public to see on their hospital website. On that site, they have the distinction of having below the Canadian and Ontario averages for infection control. They are working with three hospital-acquired infections that they report on, and as it happens they are MRSA, VRE and *C. difficile*. In Strathroy, one of the two hospitals, their *C. difficile* record for 1,000 patient admissions in 2005 was 5.5%. In 2006-07, they



had it down to 2.89%, which brings them below the Ontario average. The Ontario average is 7.4%. Newbury Hospital, a Four Counties Health Services hospital, per 1,000 patient admissions was 6.5% in 2005 and in 2007-08 was 6.38%—again below the Ontario average. They are benchmarking. They have recognized the need to do this. Everyone in my riding can see this information on the website. This is public information.

This hospital has acted. They have set the best practices for this type of thing. They know what to do. They don't need an investigation. They don't need an inquiry. They're already reporting to our constituents. All we're saying is that by September 30 we will have mandatory reporting from all hospitals. But I'll tell you right now that my hospitals are ready to do it tomorrow, and I know a number of the hospitals in this province are that far along. So why would we slow this down with investigations and unnecessary inquiries?

1730

**Mr. Kevin Daniel Flynn:** It is a pleasure to stand here today and join the debate on the opposition day motion, which requests that we have a public inquiry on this issue. I think, right from the start, all members from all parties of this House express their condolences to the family about the tragic circumstances. The tragedy of a death in the family is something that I think we have all experienced in some way and is something that we don't wish upon anybody, regardless of the cause, regardless of the way that that death has occurred.

I think we're being asked today whether we want to do something or talk about something—two very distinctly different things. What the opposition motion says to me is that there has been an issue within the hospitals, and I don't think there is any argument about that. I think we'd all agree that that has been the case. The question that is being put before us is, what do you do next? What have you done, and what will you do next? What the opposition party is asking us to do today is, in my opinion, to think about it some more and talk about it some more to see if some sort of a discussion is going to make this better. That may be a good idea if it had the support, I would think, of the chief medical officer of health or the chief coroner. If you take an analysis of the motion that has been put forward today and the responses that we've received to date on this issue, you will find that the people whose expertise we rely on, whose expertise has been relied on in the past by the opposition parties on both sides, have said, "No. A public inquiry in this case is not what you want to do. What you want to do is take action." What they are doing, what both gentlemen are doing, is supporting the efforts that are being made by the current Minister of Health to deal with this very, very important issue.

I think many of us in this House have been touched, and certainly I have been touched, by a very similar issue. I had a close relative in a hospital in Mississauga who contracted MRSA. I don't know if anybody else in the House has been through that experience, but certainly at a time when somebody is at their sickest, when

somebody is at a time in their life when they've got a very serious illness, to have to go through the quarantines, to have to go through the isolation, to know that you cannot go and visit that person because they are suffering through this infection, is something that I don't think any of us in this House would downplay at all. It's something we all treat very seriously. It certainly was not a pleasant experience for us to go through, or for the relative who found themselves in that situation.

I really don't think we should be using this to further any political agenda. What we should be doing is what we think is the right thing to do next. Whom do you rely on for that type of information? As I've said, it's very, very clear that the chief medical officer of health and the chief coroner's office have stated that a public inquiry simply would not help us move any faster. Surely that's what we all want in this House: to move quickly, rapidly, on this issue. I believe that would be a sentiment that all members would express, and it would not provide any more new information to our health care providers within the province of Ontario. As has been said by other speakers, we've already had three independent investigations into C. difficile. The Sault Ste. Marie coroner's jury, the one in a neighbouring municipality to mine at Joe Brant and the provincial infectious disease advisory committee recommendations have all come forward and have all been able to provide advice and some learning to the government of the day and to the opposition parties. But surely now is the time to act. It's time to implement those recommendations, and it's time to move forward on a practical, day-to-day basis within the health care system in Ontario.

Hospitals have a primary obligation for controlling their own environments. They have this information as well now. As a result of the investigations, this information is now in the health care system in a fashion that simply wasn't there before. Some of it is very simple: things like rigorous hand washing. Some of it is just an increased dedication to things like sanitation and cleanliness. Dr. Richard Schabas, who was the provincial medical officer of health during the SARS outbreak, has commented on this, and I will quote him: "I'm not sure a public inquiry is necessarily the logical next step. They often make for good theatre but they don't get us where we need to go, which is to address the problem in a vigorous and effective way, and I think largely we know what the underlying problems are with C. difficile."

I say that I share that sentiment. I say that I think all members of the House would want us to act on behalf of those members of the public who have experienced a tragedy in their own lives as a result of this infection. Surely they would want the government to act quickly and rapidly and move to put an end to this type of infection occurring in the hospitals that has caused such a tragedy to these families. It's time to move on.

I think that the opposition motion that is being debated today, I don't believe—

**The Acting Speaker (Mr. Ted Arnott):** Thank you very much.



Mrs. Witmer has moved that the Legislative Assembly calls upon the McGuinty government to restore public confidence in Ontario's health care system by immediately initiating an independent investigation into the sad and tragic deaths caused by outbreaks of C. difficile in Ontario hospitals and report back to the Legislature in 90 days; and the Legislative Assembly of Ontario calls upon the government of Ontario to hold a public inquiry to determine what steps can be taken to reduce the risks of outbreaks and prevent further deaths related to C. difficile. Is it the pleasure of the House that the motion carry?

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a 10-minute bell.

*The division bells rang from 1736 to 1746.*

**The Acting Speaker (Mr. Ted Arnott):** Mrs. Witmer has moved opposition day motion number 5. All those in favour of the motion will please rise one at a time and be counted by the table staff.

#### Ayes

Bailey, Robert	Jones, Sylvia	Runciman, Robert W.
DiNovo, Cheri	Klees, Frank	Savoline, Joyce
Dunlop, Garfield	Marchese, Rosario	Scott, Laurie
Elliott, Christine	Miller, Norm	Shurman, Peter
Gélinas, France	Munro, Julia	Sterling, Norman W.
Hillier, Randy	Murdoch, Bill	Witmer, Elizabeth
Horwath, Andrea	O'Toole, John	Yakubuski, John

**The Acting Speaker (Mr. Ted Arnott):** All those opposed to the motion will please rise one at a time and be counted by the table staff.

#### Nays

Arthurs, Wayne	Gerretsen, John	Phillips, Gerry
Balkissoon, Bas	Hoy, Pat	Pupatello, Sandra
Bartolucci, Rick	Jaczek, Helena	Qaadri, Shafiq
Bentley, Christopher	Jeffrey, Linda	Ramsay, David
Brown, Michael A.	Kular, Kuldip	Rinaldi, Lou
Caplan, David	Lalonde, Jean-Marc	Ruprecht, Tony
Chan, Michael	Mauro, Bill	Sandals, Liz
Colle, Mike	McMeekin, Ted	Smith, Monique
Crozier, Bruce	McNeely, Phil	Smitherman, George
Dickson, Joe	Milloy, John	Sousa, Charles
Dombrowsky, Leona	Mitchell, Carol	Van Bommel, Maria
Duguid, Brad	Moridi, Reza	Watson, Jim
Duncan, Dwight	Naqvi, Yasir	Zimmer, David
Flynn, Kevin Daniel	Oraziotti, David	
Fonseca, Peter	Pendergast, Leeanna	

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 21; the nays are 43.

**The Acting Speaker (Mr. Ted Arnott):** I declare the motion defeated.

*Negated.*

**The Acting Speaker (Mr. Ted Arnott):** Pursuant to standing order 37, the question that the House do now adjourn is deemed to have been made.

## ADJOURNMENT DEBATE

### SOCIAL ASSISTANCE

**The Acting Speaker (Mr. Ted Arnott):** The member for Nickel Belt has given notice of her dissatisfaction with the answer to her question given today by the Minister of Children and Youth Services on the matter of clothing allowances. The member has up to five minutes to debate the matter, and the minister or parliamentary assistant may reply for up to five minutes. I recognize the member for Nickel Belt.

*Interjections.*

**The Acting Speaker (Mr. Ted Arnott):** I'd ask the House to come to order. I have to be able to hear the member for Nickel Belt make her presentation. Would the House please come to order.

I recognize the member for Nickel Belt.

**M<sup>me</sup> France Gélinas:** This morning I asked a question of the Minister of Children and Youth Services about a winter clothing allowance and back-to-school allowance for people on Ontario Works. The minister said, "A single mom with two kids on social assistance is today 27% better off—a 27% higher income now—than when we were elected." I quote from the Hansard.

That number is rather surprising to me and certainly requires some explanation. So I would ask the minister if she could please explain this figure as follows: What are the ages of the children she is referring to? Ontario Works varies depending on the age of the child. What are the dates that this 27% is calculated from, and was the period of time included in there? Also, does that 27% take into account inflation that took place during that period of time she is referring to? Also, does this take into account the child benefits that are supposed to increase on July 1, 2008? That has not taken place yet, given that we are in June. Does it also include federal programs such as the child benefit and the GST credit that the federal government gives to low-income families in Ontario? Does it also include the increase to the federal child benefit that the province has allowed to go through?

When we look at it, our most recent figures—and those are also shared by the income advocacy centre—for a lone parent with one child under the age of six go as follows: In 2003, which is when she got elected, when the government came into power, the maximum social assistance for a single parent with one child aged 6 or under, adjusted for 2007 figures, was \$11,492 a year. In 2007, the maximum social assistance rate for a single parent with one child under the age of 6, here again adjusted for 2007 figures, is \$11,458. So our calculation shows a decrease, a percentage change of 0.3 lower than when they came into power, a far cry from 27%.

When we take into account all of the above changes but we also take into account inflation, changes to the federal benefits, the Ontario child benefit, then we come to a real increase of 4%. So to hear the minister say, "a 27% higher income now" and "27% better off"—it's



very misleading to the public to suggest that social assistance recipients are far ahead, in real terms, of where they were in 2003. It leaves the wrong impression of the situation of people on social assistance.

**Mr. Rosario Marchese:** Do you think so?

**M<sup>me</sup> France G  linas:** Yes, I do think that it leaves the wrong impression. It also gives the wrong impression of this government's policy. Like, 27% sounds pretty good—

**Interjection:** Sounds substantial.

**M<sup>me</sup> France G  linas:** —sounds substantial. The reality, in our calculation, is far less; it's between a minus 3% real increase or, if we take into account the federal benefits and the new Ontario child benefit, we are looking at 4%. So where is the discrepancy coming from? How can she justify using, "A single mom with two kids on social assistance is ... 27% better off—a 27% higher income now—than when we were elected"? I would need some explanation.

**The Acting Speaker (Mr. Ted Arnott):** I recognize the parliamentary assistant, the member for Lambton—Kent—Middlesex.

**Mrs. Maria Van Bommel:** The McGuinty government is fully committed to helping all Ontario children reach their full potential. That is why our government committed \$2.1 billion in new investments over five years in the form of the Ontario child benefit. This historic investment is strengthening families and providing children with the opportunity to achieve their full potential, and it is a significant turning point in Ontario's fight against poverty.

For the first time ever, the Ontario government is providing support to all low-income families, regardless of whether their parents are working or are receiving social assistance. The ongoing support provided by this program will help parents to make the transition to work and financial independence because they will continue to receive the OCB after leaving social assistance.

Beginning this July, eligible families will receive up to \$50 per month per child. When the OCB is fully implemented in 2011, this figure will grow to \$91 per month per child, or \$1,100 per year per child. With the OCB, a single mother with two children on social assistance will receive 27% more compared to when our government took office. When the OCB is fully implemented in 2011, this number will rise to 34%.

I refer the member for Nickel Belt to page 50 of the Ontario budget for 2008, where we have an indication that talks about—the member asked about the age of the children. If you look at page 50, you will see that this is a single parent with two children ages five and seven. This is annualized income since 2003-04.

If we take that further, we will see that the McGuinty government recognizes that Ontarians' extraordinary

costs are more than twice a year. They need support year-round. That's why we're incorporating the back-to-school and winter clothing allowances into the monthly OCB. Over the course of the year, all families will receive more than these amounts of the allowance through the OCB payment and the full national child benefit supplement, which will no longer be deducted from social assistance payments. Any family receiving social assistance who feels they are experiencing significant financial challenges should speak with their case worker about help that may be available to them.

The OCB will not only benefit Ontario's families; it will also benefit municipalities. Because the OCB is funded 100% by the province, social assistance costs for municipalities across Ontario will decrease by \$15 million this year. For the Sudbury region, in 2008-09, that's a saving of \$210,000.

We have already seen examples from some communities using these savings to provide additional support for the vulnerable citizens in their communities. We've also increased social assistance rates for four consecutive years, for a total increase of 9%, after more than a decade of frozen and slashed rates.

That's not all. The McGuinty government has been busy improving supports for vulnerable Ontarians since we took office. We have increased the minimum wage from \$6.85 to \$8.75, and it's on its way to \$10.25, which is more than a 50% increase. We've created 22,000 child care spaces and funded 18,000 affordable housing units and 35,000 rent supplements. More recently, in the budget we doubled student nutrition program funding to \$32 million over three years and added \$135 million for a low-income dental program and \$100 million to repair 4,000 affordable housing units.

We know that while we have made great strides, there is still more to be done to support our most vulnerable. That's why Premier McGuinty, for the first time in the province's history, created a cabinet committee focused on poverty reduction. That is where our minister is today. She is doing consultations in Scarborough at this time. By the end of the year, this committee will have developed a comprehensive strategy, with targets and indicators to measure our progress.

Our government is fully committed to ensuring that Ontarians have the opportunities and the tools they need to reach their full potential, and that is the intent of our minister and our government.

**The Acting Speaker (Mr. Ted Arnott):** There being no further matter to debate, I deem the motion to adjourn to be carried. This House stands adjourned until tomorrow at 9 a.m.

*The House adjourned at 1800.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Aggelonitis, Sophia (L)	Hamilton Mountain	
Albanese, Laura (L)	York South–Weston / York-Sud–Weston	
<b>Arnott, Ted (PC)</b>	Wellington–Halton Hills	First Deputy Chair of the committee of the whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Arthurs, Wayne (L)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (L)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (L)</b>	Sudbury	Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
<b>Bentley, Hon. / L'hon. Christopher (L)</b>	London West / London-Ouest	Attorney General / procureur general
Berardinetti, Lorenzo (L)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (L)</b>	Scarborough–Guildwood	Minister of Health Promotion / ministre de la Promotion de la santé
Bisson, Gilles (ND)	Timmins–James Bay / Timmins–Baie James	
<b>Bradley, Hon. / L'hon. James J. (L)</b>	St. Catharines	Minister of Transportation / ministre des Transports
Broten, Laurel C. (L)	Etobicoke–Lakeshore	
Brown, Michael A. (L)	Algoma–Manitoulin	
Brownell, Jim (L)	Stormont–Dundas–South Glengarry	
<b>Bryant, Hon. / L'hon. Michael (L)</b>	St. Paul's	Minister of Aboriginal Affairs, government House leader / ministre des Affaires autochtones, leader parlementaire du gouvernement
<b>Cansfield, Hon. / L'hon. Donna H. (L)</b>	Etobicoke Centre / Etobicoke-Centre	Minister of Natural Resources / ministre des Richesses naturelles
<b>Caplan, Hon. / L'hon. David (L)</b>	Don Valley East / Don Valley-Est	Minister of Public Infrastructure Renewal / ministre du Renouvellement de l'infrastructure publique
<b>Carroll, Hon. / L'hon. M. Aileen (L)</b>	Barrie	Minister of Culture, minister responsible for seniors / ministre de la Culture, ministre déléguée aux Affaires des personnes âgées
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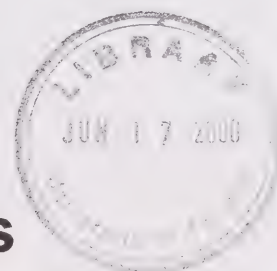
First Session, 39<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario

Première session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)



Wednesday 11 June 2008

Mercredi 11 juin 2008

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Honourable Steve Peters

Président  
L'honorable Steve Peters

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 11 June 2008

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 11 juin 2008

*The House met at 0900.  
Prayers.*

### ORDERS OF THE DAY

#### COLLEGES COLLECTIVE BARGAINING ACT, 2008

#### LOI DE 2008 SUR LA NÉGOCIATION COLLECTIVE DANS LES COLLÈGES

Mr. Milloy moved second reading of the following bill:

Bill 90, An Act to enact the Colleges Collective Bargaining Act, 2008, to repeal the Colleges Collective Bargaining Act and to make related amendments to other Acts / Projet de loi 90, Loi édictant la Loi de 2008 sur la négociation collective dans les collèges, abrogeant la Loi sur la négociation collective dans les collèges et apportant des modifications connexes à d'autres lois.

**The Speaker (Hon. Steve Peters):** Mr. Milloy.

**Hon. John Milloy:** It is with great pleasure that I stand today to lead off the debate on Bill 90, which deals with the Colleges Collective Bargaining Act. At the outset, I'd like to give notice that I'll be sharing my time this morning with my parliamentary assistant, the member from Richmond Hill. With your indulgence, Mr. Speaker, I'd like to take a minute to thank him for all the work he has done as my parliamentary assistant and all the work he has done on this piece of legislation and will continue to do as it's debated here in the House. The member from Richmond Hill has a long academic background, I think, having been involved in academic life in three countries, and he has certainly brought a great deal of his experience and wisdom to my ministry. So I want to thank him for his work to date and the work that I know he'll be moving on with.

One of the opposition members yesterday pointed out that Bill 90 is a somewhat lengthy and complex, even technical, bill. Although that is true, I think its contents can be boiled down to two main things. First of all, it gives part-time and sessional college workers the right to bargain collectively. Second, it modernizes the collective bargaining system in our community colleges. Those two pieces of the puzzle are really what Bill 90 is all about. I'm very proud to be bringing it forward today here in the Legislature.

I think the best way to explain its contents and to give a bit of context is to go back to the mid-1970s, when the

province of Ontario put into one act the whole system of collective bargaining within our community college system. Members, of course, are aware that it was in the mid-1960s that Bill Davis, as Minister of Education, brought forward Ontario's network of community colleges. It was in the mid-1970s that how labour relations would proceed was enacted.

One of the surprising anomalies of that piece of legislation was the fact that part-time and sessional workers, those who were part of the academic staff and those who were part of the support staff, were actually expressly forbidden from organizing; that is, from coming together collectively and, if they chose, from being represented by a union in their negotiations with management. As a government, we have recognized that that was quite frankly unfair and inappropriate in this day and age. In August of last year, our government made the commitment that we would extend bargaining rights to part-time college employees. That commitment was made last August, and at the same time we said that we wanted to get the best advice on how to proceed by seeking out expert consultation, by engaging with stakeholders and coming forth with a plan.

To do that, we engaged a gentleman by the name of Kevin Whitaker, who actually was here yesterday; he brought his daughter along, I think, to witness democracy in action and to see the fruits of his labour. Mr. Whitaker may be well known to many members of the Legislature and perhaps to many Ontarians who are involved in the labour relations field. He, in fact, is the chair of the Ontario Labour Relations Board, and someone who is very knowledgeable when it comes to labour relations and collective bargaining. We asked Mr. Whitaker to take a look at the act, to take a look at this anomaly, the fact that part-time workers were not allowed to bargain collectively, and to come forward with a plan.

He did yeoman's service. He went out and consulted with all sides. He consulted with the college sector, with students, with those involved in unions which in fact represent full-time college workers. He did a great deal of research into the history of collective bargaining in the academic sector here in the province of Ontario. In fact, I would encourage all members, if you're interested at all in this bill, to read Mr. Whitaker's report, because not only does it contain his recommendations, it contains a wonderful summary of the history of collective bargaining in this important sector over the last number of years.

On February 1 of this year, Mr. Whitaker produced his report, which we immediately made public. It was put on my website, and I in turn had an opportunity to go out



and consult with the same groups of people, the same stakeholders involved in the college system, and talk to them about his recommendations.

Mr. Whitaker's report, the thrust of which was to extend these bargaining rights and at the same time modernize the collective bargaining system, I think was greeted favourably by all sides. Of course, in meeting with stakeholders, there are always differences of opinion over this matter or that item or this technicality, but I think overall everyone recognized that Mr. Whitaker had done an outstanding job in terms of finding that balance and finding that middle ground of hearing both sides and finding a way to move forward. As I mentioned, he talked a lot about modernizing the whole system of collective bargaining at the college level, of making it more effective, of making it more in line with what goes on in other sectors, more compliant with what goes on in the current Labour Relations Act, which governs, of course, so much of the collective bargaining that goes forward.

As I say, Mr. Whittaker brought forward a very solid report, and after consulting with the various stakeholders, the decision was made that we would take his report and use it as the thrust of the legislation that we have before us. I want to commend Mr. Whitaker, not only for his hard work but, I think, for his wisdom and the good advice he has brought forward, and simply say to this Legislature that we're going to follow that advice with the bill we have before us.

0910

I just want to spend a minute or two on the details of the bill. Obviously, the most important part is the fact that it would extend the right of collective bargaining to part-time workers. Beyond that, as I said, it moves to modernize the system of collective bargaining at the community colleges, which I think has fallen out of line with what is going on in other sectors of our society.

This legislation, if passed, would create a new employer bargaining agent to represent all colleges in collective bargaining. Members may be surprised to learn that right now we have a government-appointed agency that acts on behalf of the employer during negotiations involving full-time workers. We simply think that's outdated. It's high time that the colleges themselves, who of course are involved in the negotiating, actually represent themselves and not have this intermediary.

The act further provides roles for the Ontario Labour Relations Board and the Minister of Labour, consistent with their roles under the Labour Relations Act; as I say, an effort to modernize and bring this act more in line with what is happening in other sectors of society. It streamlines the time lines for collective bargaining to encourage more proactive engagement by the bargaining parties. It allows for the appointment of a conciliator to work with the workplace parties at their request, which eliminates the current fact-finding exercise, which is more cumbersome.

Essentially, we're proposing that collective bargaining processes in colleges, for both full-time and part-time staff, be made more consistent with the Ontario Labour

Relations Act, while still recognizing the unique working environment in the colleges. I think this is an approach that would give all parties more responsibility for the outcome of collective bargaining, lead to a strengthened system of collective bargaining in our colleges and, I stress, allow the right for those part-time workers who are excluded right now to come forward and bargain collectively if they choose.

As I indicated, I want to share my time with my parliamentary assistant, but I'd be remiss if I didn't spend a minute or two talking about the college system in general. I believe the passage of this act is going to strengthen the college system across the province. It's going to strengthen collective bargaining for those workers who right now are represented in unions and will provide an opportunity for others to come forward if they wish.

Strengthening our community college system, and strengthening our whole post-secondary education system, has been a hallmark of this government. I've been very proud to have the privilege of serving as the new Minister of Training, Colleges and Universities under the leadership of a government and a Premier who believe so much in post-secondary education.

Community colleges perform a vital role in our province. They provide the skills and training that people need in order to enter the workforce. They've been very involved, for example, in the development of the second-career strategy that the Premier and I had the opportunity to announce the details of last week. This is a longer term training opportunity for recently laid-off workers, where they can come forward and, if they identify a job or career that requires longer term training, we will provide them with support. We will partner with them and allow them to pursue their studies at a private career college or at a community college.

The Premier and I went to Seneca College to make the announcement. It was welcomed very warmly. Once again, I want to highlight the important role that community colleges will play in terms of welcoming these laid-off workers and providing them with the skills they need to move on to a stable, long-term job. I must say that one of the highlights and one of the strengths of our community college system is that there is a degree of flexibility, a degree of being able to welcome people into the training program, of being able to work with them individually and make sure they go on their way. In our work with the community college sector throughout the development of the second-career strategy, they said, "We want to show the flexibility, we want to show the leadership to bring forward these laid-off workers."

That's just one example of the type of impact that community colleges are having across our province. They're one of the key parts of our post-secondary education system. I think all members of the Legislature recognize their important role.

What we're proposing today is, first of all, to modernize the collective bargaining system in which employers and employees reach agreements on their employ-



ment circumstances and, at the same time, extend it to a group that has been excluded for too long. I'm very proud of the work that has been done by Mr. Whitaker. I'm very thankful for the important input we've heard from stakeholders involved in this issue, everyone from students to administration; faculty, both part-time and full-time; support staff, both part-time and full-time; those in the labour sector; and other interested people who come forward.

I think Mr. Whitaker has come up with a very sound road map for moving forward; we've used it as the basis of this legislation. I look forward to hearing from all members of the House, but I also look forward to all members of the House supporting this bill, which, if passed, would modernize a system that quite frankly is in need of it.

With that, thank you very much. As I indicated, I'll be sharing my time.

**Mr. Reza Moridi:** I would like to begin by thanking Minister Milloy for his kind words. It has been a great pleasure for me to work with Mr. Milloy to serve our post-secondary education system.

Today we are discussing legislation that, if passed, would mark a significant step in the modernization and strengthening of Ontario's college system. Ontario's 24 colleges of applied arts and technology are a vital cornerstone of our post-secondary education system. Overall, our colleges serve about 250,000 students from all walks of life in every corner of this province. We anticipate college enrolments will continue to grow as more and more Ontarians choose our colleges as an excellent option for a high-quality education that will lead to a strong career, or for career development and personal growth opportunities with countless options in leading-edge technologies, the latest in arts and humanities, and many more important and innovative programs. From our young people just graduating from high school and seeking an exciting career, to older workers looking for career development or a new career; from seniors taking night courses, to the next generation of computer animators creating the blockbuster movies we bring our grandchildren to see, our colleges offer unique, world-class opportunities for post-secondary education.

Some examples of the excellent programs available include Sheridan's world-renowned computer animation program, developing animation in demand around the world and establishing Ontario as a leader in this field; George Brown's culinary arts program, producing great chefs and restaurant entrepreneurs; the veterinary technology and wildlife rehabilitation program at Northern College, teaching a one-of-a-kind course in Ontario for people who want to work in natural resources, zoos, wildlife refuges and conservation societies. All of these programs and the thousands more offered by colleges across the province help our students prepare for a strong future career.

Our colleges train students to use the most modern equipment and techniques, and employ a knowledgeable academic staff, often directly from industry. Many of

these academic staff work part-time, splitting their time between their own careers and helping students prepare for theirs. Many staff are sessional workers. These arrangements have proven to be extremely beneficial to all involved, and we want to ensure that this type of flexibility can continue. It benefits the colleges by providing access to teachers directly from industry with the latest knowledge and skills and with strong name recognition in their own fields. Most importantly, these arrangements benefit the students, ensuring a good mix of full-time and part-time, or sessional, instructors providing high-quality education along with insight into the dynamics of the workplace.

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These arrangements also mean that students can benefit from the valuable contribution of support staff who help enhance the learning environment. We believe that the modernization of collective bargaining processes we are proposing will help ensure that colleges are able to continue to attract and retain the best talent possible for the benefit of our students. Our colleges must continue to be able to offer innovative programs, as well as various options for education, including full-time or part-time courses, continuing education, co-op education, apprenticeship opportunities, training programs and retraining for second careers. Providing such a wide range of options for post-secondary education means it's more likely that our young people will continue to pursue their education. In today's emerging economy, this is vital. It's estimated that 70% or more of new jobs in Ontario over the coming years will require some kind of post-secondary education. In order to ensure that all Ontarians are able to succeed, our government is committed to ensuring our post-secondary institutions are able to provide the best possible education and training for students.

That is the basis of our unprecedented \$6.2-billion Reaching Higher plan. The proposed Colleges Collective Bargaining Act, 2008, is a key part of delivering Reaching Higher to our college students. This legislation, if passed, would provide the first major modernization of collective bargaining in the college sector since 1975. It would give part-time and sessional college workers the right to bargain collectively for the first time in Ontario. This is an important commitment our government made last year, and I'm proud to see this as a cornerstone of this bill.

Further changes in this proposed legislation would continue the modernization of collective bargaining in colleges, providing greater ownership of the processes for the workplace parties. We believe that our proposal would lead to improved labour relations for colleges and to an overall better and more stable learning environment for students. This is the focus of this bill. Some of the ways we believe that this would be achieved include:

—Moving the collective bargaining responsibility of the College Compensation and Appointments Council, the government-appointed agency that currently represents employees in bargaining, to a new body composed of



representatives of college boards of governors, allowing the colleges to bargain directly with the union through the new body.

—Creating two new bargaining units, one for part-time academic and sessional staff, and one for part-time support staff.

—Establishing a process for certification of employee organizations applying to represent the members of college bargaining units.

—Continuing existing managerial and confidential exclusions from collective bargaining, as well as exclusions for students in co-op work programs.

—Empowering the Ontario Labour Relations Board to assume the same role it has with respect to collective bargaining in other Ontario workplaces.

—Allowing the Minister of Labour to appoint a conciliator or mediator, as is currently the case with respect to collective bargaining in most workplaces, and eliminating the current fact-finding exercise. This would help streamline the bargaining process and encourage negotiations.

—Removing fixed expiry dates for collective agreements, which would allow the parties to negotiate expiry dates that make sense for them.

—Reducing notification periods for bargaining from seven months to 90 days.

—Removing deemed strike or lockout provisions in the current act, bringing the new legislation in line with the Labour Relations Act.

Various other details of the current legislation would also be changed or deleted, making the college bargaining process more similar to the collective framework for other workplaces in the province.

These proposed changes would represent an important modernization of labour relations in this sector. We believe in these in no small part because we took the time to conduct a thorough and transparent review of the current legislation. We wanted to ensure that it was done right. Labour Relations Board Chair Kevin Whitaker was appointed to conduct proper consultations with all parties in our college system. After receiving written and oral submissions, Mr. Whitaker produced a comprehensive report this past February 1. He provided our government with wide-ranging recommendations covering collective bargaining in our colleges.

One of those recommendations was, of course, to extend college collective bargaining rights to part-time college workers, but the report also went on to make recommendations on how this should be done to ensure we can create a stronger and more stable college system that benefits all parties. We thank Mr. Whitaker for his efforts and for the constructive recommendations he provided. We believe this recommended approach is the best for colleges. We believe it will address the needs of workplace parties while still keeping the needs of students front and centre.

This proposed legislation is based on his recommendations. We believe that by giving college workplace parties the proper tools to negotiate effective collective

agreements, we are helping to build a better learning environment for Ontario students and a better, stronger, more prosperous future for all of us.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Garfield Dunlop:** Thank you very much, Mr. Speaker, and I'll be given an opportunity in a few moments to speak on Bill 90 as well. There are a few things I want to put on the record, but, generally speaking, I think everyone in this House is very supportive of our college system here in Ontario.

We on this side of the House are very proud of it because, of course, it was established under the Bill Davis government and it's something that I think many communities and many citizens of Ontario have taken advantage of over the last 40-some years. I will be looking forward to putting a few things on the record in a few minutes.

Although I have a copy of the review by Mr. Whitaker, I haven't really had an opportunity, because I'm speaking today on behalf of our critic, but I will look forward to those kinds of comments and to seeing this bill go to committee and getting all the details worked out, as well as the funding issues around the bill. I look forward to that, Mr. Speaker. Give me a few minutes and I'll be speaking to it.

**Mr. Rosario Marchese:** I want to welcome the citizens of Ontario to this parliamentary channel. I am convinced they are awake. I am convinced that they have had a couple of coffees—just ready, tense and eager to listen to the debate in this Legislature. I will be speaking in a little while, for those who are awake to follow the proceedings of this place, and I will have a lot more to say to the minister and the government members in approximately half an hour from now. So tune in.

**Mr. Mike Colle:** I would just like to thank the minister and the parliamentary assistant for the work they have done in bringing Bill 90 forward. Essentially, it extends collective bargaining rights to the part-time workers, the part-time college teachers in our community colleges across this province. It has been done as a result of a comprehensive analysis by Mr. Kevin Whitaker, chair of the Ontario Labour Relations Board, and it stabilizes the working conditions and the labour relations in our colleges, if the bill is passed. So it is essentially something that will benefit the workers but will also be of great benefit in terms of bringing stability to labour relations in our colleges and, as a result of that, will make things better for our students.

We sometimes look at our community colleges as sort of an afterthought in many cases in terms of our universities and colleges partnership. But those of us who have had some contact with our community colleges know that right across this province, from Humber College to George Brown College to Seneca College to Durham College—especially Durham College; they do some exceptional work out in Durham. Not enough people talk about the great work done in Durham at the college. I hope the member from Durham does applaud the pro-



fessors and the students at Durham College, because we don't speak enough about Durham in this House. I hope he will do that and that all members from Durham will.

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**Mr. John Yakabuski:** I too want to congratulate the colleges in this province for the work they do. I particularly want to talk about one college, Algonquin College, particularly Algonquin College in the Ottawa Valley. With the minister in the House here today, I'm encouraging him again to get up and have a look at this facility in the Ottawa Valley, which has made application to build a new college campus right along the banks of the beautiful Ottawa River, in the city of Pembroke. I'm hoping the minister will take the time to come up to see what we've got there, see the tremendous work they're doing in a very antiquated building, some parts of which are over 100 years old, so he can understand how important it is for post-secondary education in my riding of Renfrew-Nipissing-Pembroke that that application in the Upper Ottawa Valley gets funded by the ministry. It is paramount to growth and development in Renfrew county. We all know that we're trying to ensure that each and every area of this province has a fair opportunity in which to be the very best it can be and provide that post-secondary opportunity to the citizens of that area and all of those who may come into the area. It's not just about the education, but the entire economic health of the riding. There's a program going on right now where people are working to raise the necessary funds locally to convince the ministry and the minister that that would be an appropriate thing for them to do, to fund that college.

A couple of weeks ago I was at the convocation, and my predecessor, Sean Conway, was honoured by Algonquin College with an honorary diploma. I was pleased to see that. Mr. Conway spoke, as he always has, very eloquently, and hit all the right points. I'd hope this minister would hit the right point with Algonquin College in the Upper Ottawa Valley.

**The Deputy Speaker (Mr. Bruce Crozier):** Minister of Training, Colleges and Universities, you have two minutes to respond.

**Hon. John Milloy:** I want to thank all my colleagues for their comments. I also want to join with them in acknowledging the strength of our community college system. I can't resist taking a few minutes out of my remarks and respond to my friend from Renfrew-Nipissing-Pembroke. College and university infrastructure has been a major part of both the fall economic statement and our most recent budget, both of which the opposition voted against. He is standing up today and asking for more funds for a community college. There are many good projects across this province, and my colleague the Minister of Public Infrastructure Renewal and I have been working to identify priorities and move forward. But again, perhaps the member should be telling some of his colleagues that when they stand up and ask for tax cuts, tax cuts and government spending are not consistent.

I think it's more important today to deal with the bill in front of us. As I've said in my remarks, the first thing

it does is modernize the college collective bargaining system, and the second, equally important matter is that it extends bargaining rights to part-time workers at colleges both in the support staff and those in the faculty, those who teach. Sometimes at Queen's Park you can fall into the trap of forgetting about individuals, forgetting about the people who are affected by this piece of legislation. Several weeks ago I had the pleasure of going to meet with a number of college workers who had come here to Queen's Park to meet with a number of MPPs. I met a number of part-time college staff who came up to me and expressed their frustration with the fact that they had been excluded under this act, that they couldn't exercise their rights, and just had one simple question to me: "Are you going to change it?" I made a commitment there and then that we were going to introduce this legislation this spring. This is about these individuals; it's about giving them an opportunity that others have, and it is an outstanding way to move forward.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Garfield Dunlop:** May I have unanimous consent of the House to defer the leadoff speech from Mr. Wilson?

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Simcoe-North has asked for unanimous consent that the leadoff for the official opposition be stood down. Agreed? Agreed.

**Mr. Garfield Dunlop:** Thank you very much, Mr. Speaker. I appreciate the fact that you've allowed me to defer the leadoff. Mr. Wilson would have liked to be here this morning, but he had to take his dad to the hospital.

I appreciate being able to speak to Bill 90, An Act to enact the Colleges Collective Bargaining Act, 2008, to repeal the Colleges Collective Bargaining Act and to make related amendments to other Acts. I understand the short title of the bill is the Colleges Collective Bargaining Act, 2008. I've just seen this bill for the first time this morning and I look forward to making a few comments on it. I can tell you that over the last three or four years we've certainly been lobbied by the part-time college sessional teachers. Roger Couvrette has visited a lot of our offices—I know he came up to my Orillia riding office. He's president of the Organization of Part-time and Sessional Employees of the Colleges of Applied Arts and Technology. I think Roger made a lot of sense, and we'll be looking forward to the debate in this House; we'll be looking forward to the committee hearings and listening to impact that this legislation will make on the college system, but of course funding will be one of the key areas of the impacts.

I mentioned earlier in my two-minute hit about the college system here in the province of Ontario; it's something that I think, when it originally started, there were some people who were skeptical about it. I think being the brainchild or the dream of Premier William Davis at the time made it very appealing to the citizens of Ontario.

I want to put on the record a few things about the college system in our riding, in particular Georgian



College. I can tell you that in the 40 years Georgian College has been in existence in Simcoe county, particularly with its main campus in Barrie, Orillia, Midland, Owen Sound, and now in Gravenhurst etc, it has become a real institution in our community and something that all levels of government, including the federal government and all the municipalities, are very, very proud to associate with. I can tell you it's one thing that I'm always proud to do: At least once or twice a year I get invited out to speak to classes of students at Georgian College. Usually it's at the Orillia campus and usually it's a day that I really enjoy, to see the optimism of our young people and the great ideas that they have as they ask questions and want to be part of our process.

I don't think there's any question, the part-time instructors have become a very important part of the whole college system. My only fear with this legislation is, when this bill is passed—and I suspect it will be passed—there will no doubt be additional costs; I wouldn't think that anybody would want to form a collective bargaining unit unless they wanted more out of the system. I suspect that it will cost the government of Ontario more money, and I'm hoping that the government will be there for the college system when they actually require this money.

I want to talk a little bit about Georgian College. In Simcoe county, we've got three campuses of Georgian College: the Barrie campus, the Orillia and the Midland campus. I want to put on the record a little bit about the three campuses and some of the things that both governments have done, since I've been the MPP, to enhance the work that they've done there. The Barrie campus was the main campus built in the county of Simcoe. I can tell you that I was very, very proud, five years ago, to be part of the opening of the new SuperBuild program buildings that they built at Georgian College in Barrie, when Dianne Cunningham came up for the official opening. I think about a \$24-million grant was given to Georgian College—federal, provincial and college money—to see this program proceed. It's something that I believe has been very, very beneficial to that community.

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The president of Georgian College, Mr. Brian Tambllyn, has been a real leader, as college presidents go, in the province of Ontario. When I first got elected in 1999, I sat down with Brian and we had a chat about Georgian College in the area, the lack of funding and all of those kinds of things that occur when you have discussions with the presidents of organizations. I can tell you that Brian made a commitment to me at that time that he would help my riding, the riding of Simcoe North, enhance our two campuses, in Barrie and Orillia. At that time, in 2000, we had about 600 empty spaces at the Orillia site of Georgian College. Today, those are full. We've got an expanded veterinary technician program at Georgian College. They're working in co-operation with their next-door neighbours, the Ontario Provincial Police and the Ontario Provincial Police Association, who are both strong advocates of the college system in our community.

The Midland campus, back in 1999, was behind the radio station in a strip mall in Midland. Today, seven or eight years later, we've got what we call an Ontario skilled trades centre. It is something that we are extremely proud of. In our area, in Simcoe county, all the tradespeople used to have to travel to Kitchener, Toronto or maybe to Durham College to get their apprenticeship training. As apprenticeships are near and dear to my heart—because I come from a construction background—I was so pleased when Brian Tambllyn and his team at Midland purchased the Industrial Research and Development Institute from that organization and now have an Ontario skilled trades centre in that facility. They train people in electrical, plumbing, recreational vehicles and marine mechanics, along with a few others as well. But what it has meant is that young people in our community don't need to travel to other communities, especially when many of the people are young and they've got young families, or with the high cost of gasoline, that sort of thing. It's has been very, very beneficial to our whole community. We want to plan on expanding on that. In fact, I've already made some inquiries into some work around heavy equipment. I think heavy equipment would be something that could be operated out of the Ontario skilled trades centre, along with sheet metal, carpentry and other trades like that. So again, we're quite proud of what is taking place there.

The colleges have been blessed with great staff. It's just a pleasure to go to the colleges and to speak to the students. I'm always impressed with the staff who meet me at the door, take me to the classrooms and let me speak to the students. I can tell you that one of our young pages here today is Murray Fallis. Murray's dad is an instructor and one of the key people at the Georgian College campus in Orillia.

I also want to point out that some of the colleges have really expanded their programs under other areas as well. Both the Orillia campus and the Midland campus of Georgian College in our community have an expanded university partnership program with universities such as York and Laurentian. Just a week ago, I was at a graduation class of about 30 who got their bachelor of science, I believe, from Georgian College in Orillia. They're building on that program, both at the Orillia campus and the Barrie campus. I believe there are now over 1,000 students who are taking part in the university partnership program on those two campuses. That is allowing our young people in the region to take a university program fairly close to home, although that's not to say they're not drawing people from all over the province and all over the country, as well as some people from outside the country who have come from international programs.

One thing I want to point out, in trying to impress upon you the importance of one community college in Simcoe, Grey and Muskoka, is that Georgian College is the largest college in Canada for students with work experience on graduation. For over 10 years, over 90% of the graduates of Georgian College have found work within six months, and in seven of those 10 years,



Georgian College has been in the top two. Last year they were number one, with 94% of graduates finding work within six months. They're very proud of that, and I applaud the efforts of both Brian Tamblyn and his team and the board of directors of Georgian College, which year after year tends to draw key people in the community who are interested in steering the college in a very positive manner, in a very positive direction. It just amazes me, year after year, the people who come to the board and give their time and effort in making this a key college in our community college system.

I wanted to say a word about Arch and Helen Brown, from Barrie. Arch and Helen are two very important people who have been business people in our community. They have continually donated and been key supporters of programming and the construction of facilities at the college. I can tell you that it means a lot to the whole community when you've got patrons of the community behind the college. When we need important help or support, they're there as key fundraising people to help the college out of some of the dilemmas they get into at times with new and expanded programs and the facilities they need. Arch and Helen have always been there, and I know they are two key friends of Georgian College in our community.

I also want to pay compliments again to our board of directors at the college. I know John is just finishing his term as chair of the board. Eric Broger will be taking over very shortly; I believe some time in August or September. Eric is a very successful engineer and business person. Sharon Bate, a former director of the Simcoe county board of education, and Gwen Strachan, a former deputy commissioner with the Ontario Provincial Police, are the kinds of people who are being attracted to sit on the board of governors. Day after day, week after week and year after year, they tend to lead the college in a very positive manner, and I'm proud of that. When I speak to them, they're always keen to point out the funding issues—the challenges they face as a growing university. I can tell you that each and every year it seems to grow. The government brags about putting billions of dollars into the college system; however, the college system in the province of Ontario is still the lowest-funded college system in the country. We are number 10 of the 10 provinces, and that needs to be corrected. If additional money is required as a result of Bill 90, I hope the government will be able to answer in committee hearings questions about where they intend to find the money for Bill 90.

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I also want to point out the other issues that I find are problems in the college system, which I believe need to be corrected. The minister, in his comments, talked about going to a photo op about the second-career strategy. Of course, we've lost a tremendous number of manufacturing and forestry jobs in Ontario. The hope of the government is that the second-career strategy will be led by the community college system and will be able to train people for other jobs in the future. I applaud the federal

government for putting, I believe, about \$1.5 billion of new federal money into this year's budget to help with retraining of individuals across our province. I can tell you that although the Ontario government never gives the federal government any credit for it, they're using every penny of this federal money for their second-career strategy.

On top of that, I also want to point out that the \$311 million I mentioned yesterday, new money from the labour market agreement, which has come into the system as of April 1 this year—I'm very curious where that money is being spent and how it is being spent. I mentioned yesterday that I'm getting a lot of correspondence, and I've had a few meetings with some of the literacy councils in Simcoe county whose funding has been frozen for 10 years. They're wondering how much of the new \$311 million they can receive for actually helping volunteers help people learn to read and write. If you're going to retrain somebody, I think that teaching them right from the very beginning how to read and write is a key step. I'm requesting the Ministry of Training, Colleges and Universities to take it upon themselves to quickly come to the rescue of literacy councils, to help them increase their funding so they can help train more people in our province and in our communities who are unable to read and write. As I mentioned earlier, they're doing this with volunteer assistance and their funding has been frozen for about 10 years. They need to have some increases to carry on.

I also want to put on the record that the apprenticeship training programs are a very important part of our college system. I know that for both elementary and secondary schools apprenticeship training is becoming more and more important. However, we do have that roadblock of the ratios in front of us. It's easy to give an employer a tax credit, which I applaud the government for bringing forward; I thought it was a good idea at the time. But when there's a blockage in front of apprentices after they take a pre-apprenticeship program or go through the Ontario youth apprenticeship program—they're blocked by the fact that employers need a three-to-one ratio of journeymen tradespeople to apprentices—it's really having an impact on a lot of young people wanting to enter the trades.

We'll be continuing to lobby for that. In fact, I'm making a commitment; I don't want to stop on this. I believe it's important that we even go as far as having a stand-alone ministry of training, apprenticeship and skills development. I feel this is one end of the college system, or that particular ministry, that is kind of letting down our young people. I don't think there's nearly enough emphasis put on trades, especially construction and manufacturing trades, which are faced with this ratio issue. If we are still here next Thursday, I know that Laurie Scott will be debating a resolution to bring the one-to-one ratio back to the House, and I'll be here to try to support that as well.

As we go forward with Bill 90—and I appreciate the time to put on the record today the nice things about



community colleges and I really appreciate, Mr. Speaker, the fact that you've allowed me to say these few words today. We look forward to caucusing Bill 90. We haven't had a chance yet to get out there, but I can tell you that I'll be looking forward to the comments by other members today. We need to be careful that we do this right and that the funding is in place to handle the impact of Bill 90 when it is finally passed. I appreciate that.

Once again, I want to thank Georgian College and all the folks up at the Barrie, Orillia and Midland campuses for the great job they do, and Brian Tamblyn and his team for the great job they do in training and being the top college in our country. Thank you for this opportunity.

**The Deputy Speaker (Mr. Bruce Crozier):** Questions and comments?

**Mr. Rosario Marchese:** I have to say that the member from Simcoe North talked a lot about apprenticeship programs and his interest in them, from a personal point of view. I think a lot of us share that same view. I just don't believe that the government, or governments in general, are taking that issue very seriously. They pretend to, in the language they use, but I think there's so much more that could be done and needs to be done.

In the context of so many job losses, in the context of the need for so many tradespeople in Ontario and in Canada, our response, as governments, and this particular government's response, I think is not that great. It's okay—and I will speak to it in a few minutes—in terms of what the government has done; it's hardly historic. Yes, they've put in a few dollars, and again, I'll speak to that in about seven minutes. So those of you happy citizens who are awake, alert and eager to follow the proceedings here, in about seven or eight minutes I will expound a little bit on the issue of apprenticeship in terms of what the government is doing or not doing and what we ought to be doing in relation to apprenticeship programs. But I do believe the efforts so far have been completely inadequate and we need to do a lot more.

**Mr. Reza Moridi:** I would like to begin by thanking our colleagues who spoke before me on this act. Ontario colleges are making a great contribution to our post-secondary education system. I had the opportunity to visit three colleges since I became a member of Parliament and the PA for the Minister of Training, Colleges and Universities: Georgian College, Sheridan College and Seneca College. Actually, I attended one of the meetings of the board of governors of Seneca College.

Being a former academic and educator myself, I appreciate the great work that colleges are doing in this province. Some of our colleges, particularly some of the programs in colleges, have gained an international reputation. These are very crucial to the economic progress of our province in terms of training manpower for the future, for the years to come.

In our colleges, 250,000 students are studying. There are very many programs already in place in our college system. Stability is the key in any institution, particularly when it comes to educational institutions. The current

collective bargaining act which we have goes back 30 years, and it hasn't been touched in the past 30 years. It is time that this act be modernized.

Also, I must emphasize the contributions that the part-time staff and part-time and sessional faculty have been making to the progress of our colleges, and in training and educating our young people. These people—the part-time staff and also the part-time sessional faculty—need to be given the right to bargain. This is another focus of this bill. So this current bill which is in the House now has two main focuses: one is to modernize the old one, which is over 30 years old and hasn't been touched since then, and the second is—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you. Questions and comments?

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**Mr. John O'Toole:** I always like to hear the member from Simcoe North, who at the last moment was able to respond and bring some reference and respect to the college in his community. I'd like to say the same about my riding of Durham, which has been mentioned by a few people. I'm happy to have in my riding one of the very successful colleges, Durham College, which is in a partnership with the University of Ontario Institute of Technology.

I would say that just recently we had a little change. Leah Meyers, who was, I believe, one of the deputy ministers in the Ministry of Education, became the president about two years ago, and has just left that position. I wish her well. Don Lovisa is the new interim president of Durham College. He's been with the college since 2008, and he was acting as vice-president of academics. He actually came from the school of business, hospitality and media arts at Confederation College in Thunder Bay. I wish the new president well as well. But I should always pay respect to the citizens who represent us on the board: Phillip Simmons, Gerry Warman, Joanne Burghardt, Rhonda Christian, Aileen Fletcher, Carlee Fraser, Pansy Goodman, Karen Hodgins, Deborah Kinkaid, Doug McKay, Michael Newell, Charlie Peel, Bill Robinson, Darrell Sewell, Michael Seymour and Frank Wu. Frank Wu, the last fellow, is the director of planning for the municipality of Clarington. So you can see the very high level of people who try to add their value to the college system.

There was a very important initiative in the last budget, the second-career opportunity, the \$1.5 billion for training. Some of that will certainly flow to the colleges. So this is an important bill. I am in the midst of reading Kevin Whitaker's advisor's report and look forward to the debate.

**Mr. Joe Dickson:** I rise to speak in support of Bill 90, presented quite capably by Minister Milloy this morning. So popular is this bill that we're fortunate enough to have the minister's sister-in-law, the popular MPP from Kitchener-Conestoga, here with me to cheer him on.

When I think of special colleges and this bill and what is going forward, I can only think about Durham College, with several other adjacent colleges around the perimeter



of Durham region. I think of the communities that take advantage. Our residents have the full advantage of Durham College, from Ajax, Pickering, Whitby, Oshawa, Bowmanville, Clarington—and you can go throughout the entire region.

Durham College, as most of you know, has evolved from an old chocolate factory. At Durham College, everything is sweet: Education is sweet, the learning process is most generous and we're going a long way.

I have to tell you that I know a lot of teachers, lecturers and several friends of mine are at not only Durham College, but other colleges too—people like Mike Ryan, George Tripp, Randy Rainthorpe and Joe Bowdring, whom we lovingly call Newfie Joe, who focuses on skilled trades and works with several of the unions.

In addition to this new legislation that will make things better for both college employers and college employees, I have to tell you—my friend from Durham mentioned the immediate past president, Leah Myers. The member from Pickering–Scarborough East and myself have met with her many times and she continues to praise this government for the expansion that has gone forward and that hopefully, with this, will continue to go forward.

**The Deputy Speaker (Mr. Bruce Crozier):** Member for Simcoe North, you have two minutes to respond.

**Mr. Garfield Dunlop:** I'd like to thank the members for Trinity–Spadina, Richmond Hill, Durham and Ajax–Pickering for their comments. I want to sum up by saying three quick things. One is that when we get a chance to caucus Bill 90, we'll be looking forward to the committee hearings and the impact that Bill 90 will have on the overall budgets of the community colleges. We absolutely have to make sure that their funding is increased to handle any additional costs because, as I mentioned in my comments earlier, we are already the lowest-funded community college system in the country per capita. For the great work they do, that's not acceptable. So the funding has to be in place.

Second, I appreciate the comments by the member for Trinity–Spadina, who talked about apprenticeships and skills development. Again, I think it's an area, though, where we all talk a big story and think it's so important to do a good job; I really and truly don't think we're doing enough yet. Changing things like the ratios and taking the stigma attached to apprenticeships out of it and making the people feel more proud of the fact that they are in apprenticeships is important as well.

I want to sum up by thanking, as I mentioned earlier in my comments, the chairman of the board of directors, John McCullough, and his board, Brian Tamblyn and all the staff at Georgian College for the great job they do up in our communities. We're very proud of that.

I want to sum up by thanking everyone for the opportunity to speak to Bill 90.

In the audience today—I didn't get a chance to do this earlier, but I want to introduce a good friend of mine,

Grady Cragg, and my assistant, Gaggan Gill, and Shane, who is Grady Cragg's little brother.

Thank you very much for this opportunity, Mr. Speaker.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Rosario Marchese:** It's good to speak to Bill 90 as the NDP critic on post-secondary education issues.

Welcome to this political forum. We are on live. It's 10:05, and I am convinced that people are indeed awake, have had their strong coffee and/or espresso in the morning, and are eager to listen to us. That's why the government changed the hours in this place. They must have realized, the government members, that people at home were bored, that they must have been really bored and were looking for something exciting to get up to in the morning at 9 o'clock. I know there are a lot of eager beavers, out-of-town Liberal MPPs who have apartments in downtown Toronto, and they're so bored they want to get here at 9 o'clock. They even want to get here at 8 o'clock, because they don't have anything to do, so alone are they in downtown Toronto, the members from outside Toronto.

It's possible that these are the people who persuaded the House leader to change the hours, because 1 o'clock or 1:30 is just too late. We needed to get up early and work hard and harder so that you could get to your morning meetings at 8 o'clock, because what would you be doing at home except sleeping, right? Those of you who really wanted to work must have persuaded the House leader that we need to get up really early, because you were tired of being bored and alone in your apartments. So it's possible that some of these members were the ones who persuaded the House leader to change the hours in this place. God bless them.

Anyway, if some of you are awake and watching, just drop me a little note telling me how excited you are that the Liberals changed the hours. I would be happy to know how you feel about this particular topic.

In the beginning I thought, how are we going to be able to speak so early in the morning? It's like singing in the morning. I used to sing. I used to imitate Tom Jones when I was a young man, but I can tell you, I could never, ever sing in the morning—I couldn't. You need to warm up. It's just like speeches; you need to warm up. You need the whole hour to speak, because you can't just do it in two minutes here. You understand, Jim, what I'm talking about. Yes. So I thought, how are you going to have the excitement to be able to speak, the ability to be still awake, or be awake, at 9 o'clock in the morning and be rational? But I know we make an effort around here. We do, Herculean; no doubt. But we do our best, and that's what people like me do in the morning when we are here to do the business of the House.

I'm here as a speaker today on Bill 90 and to say it took a long, long time. The Liberals rationalize it by saying, "We have to get it right," and then they can appear like getting it right really does take two long years. It doesn't take that long. I'm going to tell you in a couple of moments why it takes that long.



To hear the member from Richmond Hill and the minister and even the member for Ajax-Pickering and all that, you get the impression that they really had to take time. You've just got to do it right and you appoint people—Mr. Whitaker, a nice man indeed. Of course he did his report and the government had that report in their hands for months and months, but the minister needs to reflect on it because you've got to do it right and you've got to take your time. Correct, member from Richmond Hill?

1010

**Mr. Reza Moridi:** Yes.

**Mr. Rosario Marchese:** That's a silly rationale, right? We all know it, and the citizens who are awake this morning know that as well. Those who are paying attention know that it's a political gain. Instead of just being frank and saying, "Why are we delaying?" which I will explain in a moment, they simply use subterfuge; they dissimulate as well as they possibly can in order to be able to get a different kind of political message. The message clearly is, "Delay, delay, delay as long as you can," because what this bill will do is increase the cost of the colleges, which eventually will increase the cost to the government.

This is not a bad thing. We believe college workers need to be better paid, need to have better services for the work they do. That's not the problem. The government understands that the reason for the delay is that it's going to create some problems for the government. It'll create some headaches for colleges, and directly and indirectly it will create a headache for le gouvernement. They may be able to deal with that, because now the bill is before us. They've had to take their lumps, as it were, and they will deal with it, but make no mistake about it: The delay has all to do with greater cost, and that's what the government was trying to avoid for a long time, until they could no longer avoid it.

OPSECAAT president Roger Couvrette has been working for two long years with his members to try to give them the right to organize and bargain collectively; a right that has been denied to them for 33 years. That's a long time. Governments can wait, but part-time college teachers couldn't wait that long. We made them wait a long time, and if not for the pressure, this Liberal government would have made them wait much, much longer. Roger Couvrette: I give him a great deal of praise because it was he, with the organizing drive and OPSEU behind them, who was able to mobilize not just public opinion but the 17,000 part-time college workers and support staff in order to gain the right to bargain collectively. They pressed and they pushed and they understood that governments are about political pressure. Governments are not necessarily innately good; they're not. They become good when pressured by people to do good. Otherwise most governments, especially Liberals, will avoid dealing with any particular issue because they don't want any trouble with anyone. That's why they sit so happily in the middle as often and as long as they possibly can, so as to avoid headaches on the right and on

the left. So they quietly, surreptitiously slither under that carpet as best they can for as long as they can.

Governments, especially Liberals, are not innately good, but we have to force them year after year to do some good. Eventually they deliver, as you see them today, where they say, "We're finally delivering"—not "finally"; they wouldn't say that. They're praising the college system and college presidents; they're praising anybody they possibly can. Before this bill there was not a peep about college presidents, about colleges, about funding—not a peep. They were as silent as you could possibly imagine. You couldn't hear a word from any Liberal before this bill. Now that the bill is before us, they're saying how wonderful the government is, how wonderful the colleges are, all the great work they're doing together and how much more they need to do. Correct?

*Interjection.*

**Mr. Rosario Marchese:** The member for Richmond Hill is going to get two more minutes in a moment to say the very same things I'm repeating right now. The story isn't new. The script is already written, has been written for years and years, and they recycle the same script over and over again. There is no creativity in governments whatsoever.

The Minister of Transportation knows this because he's been in government, in opposition, in government. He loves this thing. He criticizes governments and, once in, he criticizes the opposition. It's just the way it goes. I think that's why people don't like politicians too much. If anything, we should review why people hate us. There's never been a study by any political group that asks, "Why do people hate politicians?" We avoid that as much and as best and as long as we can, but that's a real problem that we have in this place: People do not like politicians. In the afternoon, when I'm given the opportunity, I hope, to speak to the bill that will look at how we reform elections and so on, I hope to be able to say a few more words on that topic.

That is a topic we should have a select committee on, to review the reasons why people seem to hate the political process and politicians of all stripes. They don't just hate Liberals or Tories, they actually hate all of us. That dislike is equally distributed. Nobody looks at the reasons why, and all I'm saying to my Liberal colleagues is that we should. I'm saying this not for myself, but we should do it for ourselves and look at the reasons why. But that's another matter for another bill, for another afternoon.

*Interjection.*

**Mr. Rosario Marchese:** Yes, of course, there's so much to say.

I was saying that people like me want to praise Roger Couvrette from OPSECAAT for the organizing drive, because it took two long years to persuade Liberal MPPs that they should present the bill. They were cagey for a long, long time. The minister would constantly say, "We're doing it, we're doing it and we're doing it." You understand, Speaker, because you're part of the Liberal



caucus. How long can you delay before you look bad? So finally the minister said, "I was at a reception just a month ago"—I was at the same reception, by the way. He leads us to believe that that was the moment when he decided he could no longer wait and that bill had to be presented; that moment of lucidity, that moment where people are speaking to you and you say, "My God, I've harmed someone. It isn't good. I have been touched by the college teachers." On that particular day—no other day, because he never met any other college teacher before—when OPSECAAT had a reception and he was able to speak one to one, he was touched at that particular moment, so he could no longer deny or delay.

Do you believe that? Come on. It's such a sob story. How can you believe stories like that? How could you even say it? Come on. I don't believe it, and if I don't believe it, do you think anybody else is going to believe it? If you delay for two years and you had the Whitaker report in your office for so long, you then have a moment of eureka when you meet the OPSECAAT staff? Please.

I'm just raising that as a way to help the minister out. Don't embarrass yourselves in that way. Just don't say it. Simply say, "This is an historical moment," which you always say, right? "This is historic"—you didn't use that word, by the way. I was a little bit surprised. How come you didn't use the word "historic"? I was waiting for that, and none of you used it. Maybe the member for Richmond Hill will use it after my speech. Just say that. Don't say this other stuff that makes governments look silly at times.

1020

Look, governments used part-time teachers as cheap labour. They did that through the college system, through the colleges. Colleges, not having enough money from governments, have to resolve their financial problems in all sorts of ways. So rather than hiring full-time workers, they hired more and more part-time workers for the longest time. In fact, if there wasn't any pressure, you would hire—you government; you colleges—more and more part-time workers. Do you know that half of the college teachers are part-time? That fact ought to startle you a little bit. Half of the college staff are part-timers. How could that be? And about 20% of university teachers are part-time. It varies from university to university. Why do they do that, do you think? To save pecunia; it's all about the pecunia. Cheap labour is about making sure people don't get the benefits that they're entitled to, making them work harder than they would like because they have to have one job or two, or one full-time job part-time in that college, or two jobs in that college and another college, or possibly three colleges, in terms of being able to make ends meet and having full-time hours. Part-time college teachers have been exploited for a long, long time, and there were more and more of them every year to exploit.

Even the ILO, otherwise known as the International Labour Organization, ruled that such workers be given the legal right to bargain collectively and urged the McGuinty Liberals to let this happen. This is the Inter-

national Labour Organization getting involved in this particular issue, the International Labour Organization saying to McGuinty that they should have a right to bargain collectively. That was a couple of years ago; that was at least two years ago.

You understand that there have been a number of people pressing. It wasn't just the International Labour Organization; it was also the Supreme Court of Canada who waded into the issue, where they confirmed a year ago that the right of freedom of association is a right in the Canadian Charter of Rights and Freedoms. That was yet another pressure point for the McGuinty government. The Supreme Court of Canada ruled that the right of freedom of association is something that is embedded in the Canadian Charter of Rights and Freedoms, and therefore part-time college teachers have the right to bargain collectively. And they haven't had that right for 33 years. So you have the International Labour Organization, you have the Supreme Court of Canada and you have college teachers through OPSECAAT. You had even little people like Marchese, who introduced a bill in this Legislature twice, Bill 13, urging the Liberal government to pass a bill that would give part-time workers and support staff the right to bargain collectively. They dismissed my bill, of course. There's no reference by the member for Richmond Hill or the Minister of Education that I introduced a bill here twice, speaking to the same right.

I had hoped we would have had the government move on that a little more quickly—not too much, of course, because we wouldn't want to tire the Liberals out too much, but just a little bit.

We had hoped that the bill would not be so complex. You remember that yesterday I showed you three documents that pertain to this particular bill. It was thick; it was a thick document. We had asked the minister, "Could we have a copy of the bill so that we could see it in advance?" The ministry staff said, "No, we can't give it to you." We asked for the courtesy of seeing the bill before 3 o'clock, when the minister was about to announce Bill 90. We were given no such courtesy to be able to view the bill. I'm talking about courtesy here. Why would it be such a big deal for the government to allow the critic, and the critics, to see the bill in advance—an hour in advance, two hours in advance, in the morning, the day before? Why would government deny the opposition that basic courtesy, not to speak of rights, to see the bill, which would allow us to prepare ourselves more effectively? And they don't do it. Why do they do that continually? Why do governments do that as a way of punishing the opposition? It's not as if it's going to change your bill in any way. It's not as if, by allowing me to read it, I'm going to be able to prevent your bill from happening. You have a majority in this place. It's not as if I could do anything to undermine you as a government. Yet you refused to allow us to see the bill.

So, good folks, good citizens of Ontario watching this program, sometimes I am as frustrated as you. You have your reasons for not having great affection for us, and sometimes I have similar reasons for not having much



affection for us as well. Sometimes the reasons are very similar. Make no mistake about it: The government delayed because they wanted cheap labour. They considered part-time college teachers as part of the way you do business: You underfund the college system and the university system. Colleges do not have any money, do not have sufficient dollars, and therefore they have to continue with the practice of having part-time workers unable to collectively bargain. That's what that was about.

The context of this is very simple, and I want to put to you the context, if I can, as a way of explaining the seriousness of the underfunding of our university and college system. I'm reading from a document called the CAUT Almanac of Post-Secondary Education in Canada, published by the Canadian Association of University Teachers. They have some interesting things to say about financing of universities and colleges. I know that this will be dismissed by the Liberals, and I'll explain why they will try to do that. But it's hard to alter the facts. "Provincial expenditures on post-secondary education"—they do a comparison in terms of what they got, in millions, in 1992-93, when the NDP was in government, with what they're getting in 2005-06 from the Liberal government. Ontario was getting \$4,393 per student, and in 2005-06 they were getting \$4,649. Understand the difference here: 1992-93 and 2005-06; there's a difference of 12, 13 years there. The difference between what we were giving and what the government is giving today is minuscule. So over the 12-year period, financing has not grown very much. That's how bad it is.

Here's another statistic from the same document: "Provincial expenditures on post-secondary education as a share of total provincial expenditures". In 1992-93 in Ontario it was 5.8%; in 2005-06 it was 5.2%. So on expenditures on post-secondary education as a share of total provincial expenditures, we're getting less today than we did in 1992-93.

**Hon. David Caplan:** Okay, we'll cut health care, then.

1030

**Mr. Rosario Marchese:** No. You'll have an opportunity, Mr. Caplan, to speak shortly. It's not what I want; it's what the facts are.

Another statistic, provincial expenditures on post-secondary education as a share of provincial gross domestic product: In Ontario, in 1992-93, it was 1.20; in 2005-06, it was 0.86—much less today than in 1992-93. You often have Liberals standing up saying, "We're giving more money than any other government in the history of this province."

*Applause.*

**Mr. Rosario Marchese:** They delude themselves so badly, because when I read the facts, they pretend not to hear them. So the minister claps to this delusional kind of statistical information and forgets to listen to the facts.

The other fact, mon ami monsieur le ministre, who is able to listen to these numbers: Provincial government transfers to colleges and universities per FTE student

enrolment, in 1992-93 versus 2004-05—in 1993, Ontario was giving \$10,346, and in 2004-05, it was \$7,080.

Mr. Minister, does this give you a good sense of the problem that we are in and the serious underfunding of our college and university system? Because if the facts don't help you, I don't know what will. I know you can make it up; I know you do. I know you will have an opportunity—

*Interjections.*

**Mr. Rosario Marchese:** You will have an opportunity to be able to state—

**Hon. John Milloy:** Tell us about the NDP bill. Why didn't you pass it?

**Mr. Rosario Marchese:** No, no. I'm talking about you, Minister, because you have the wheels today. You've had the wheels for four long years, and you still have the wheels today. They call it the limousine today, or some other car, maybe a hybrid. But when you've got the wheels, you are the one in charge. Now it's your job to simply say—

*Interjection.*

**Mr. Rosario Marchese:** "Where was Bob Rae then?" He's in the Liberal Party. That's where he is. Bob Rae has joined your ranks, a bright man who has decided to join the ranks of the Liberal Party. So if you want to attack somebody, be careful how you do it, because he's now in your ranks.

But, Minister, if you look at the funding that I just quoted, because you heard some of it and you didn't hear the other part, on all ways of determining funding, in 1992-93, we were giving more than you were, and we were just getting over a recession. You have had 10 or 12 good economic years and you're giving less today than we were giving in a recessionary period. That's nothing to be proud of, and we did that with Bob Rae. Yes, then we did it with him. So you have nothing to be proud of. In fact, it's almost embarrassing, but that's okay. You don't have to talk about the facts. It's not a big deal. You can talk about something else. Make 'em up. Do what you like, and you do.

So we have OPSECAAT to honour. We have OPSEU president Warren "Smokey" Thomas to honour because he's taken on this fight to represent the workers. In fact, OPSEU have signed union cards and the union applied to the Ontario Labour Relations Board to be certified as their bargaining unit in April, and you know what, Minister? You may not know this—oh, sure you do. The government's lawyers argued against the college workers' right to bargain collectively. That was the Attorney General, the same man who used to be the minister of post-secondary education. He sent his lawyers to argue against the college workers' right to bargain collectively. It was a moment of embarrassment for the Attorney General, and why wouldn't it be? As a former minister of post-secondary education, to have to send a lawyer to argue against OPSEU, against the right of workers to bargain collectively, was not a happy moment for the Liberal government.



We pointed that out in one of our questions in this Legislature, and I am sure the minister tried to contain his embarrassment as best he could, pretending it didn't even exist, pretending the question wasn't even asked. He even pretends now, while he's in this Legislature, not to listen to my points. That's okay. I understand that. I would have been embarrassed too.

**Hon. John Milloy:** Are you going to vote for the bill?

**Mr. Rosario Marchese:** I'm waiting for you to talk about the facts again, Minister. I'm looking forward to you and the member for Richmond Hill talking about the facts.

I wanted to point out, Attorney General—I think you're listening again—that you must have had a very unhappy moment at that particular time, when OPSEU went in front of the Labour Relations Board and you sent in your lawyers to fight against them. You understand what I mean. I wanted to point it out to the good citizens of Ontario who are watching this political channel on a regular basis. Rain or shine, day or night, they are there, ready and alert and awake, having their popcorn and their beer and wine in the afternoon and coffee in the morning, because they are so excited to watch this parliamentary channel. Yes, siree. So much for the Attorney General and this fight against OPSEU; so much for the current minister.

**Hon. Christopher Bentley:** How did I get involved in that?

**Mr. Rosario Marchese:** Hey, ho. Hark, he's awake. Hark ye, he awakens. I knew that he was listening. All it took was the right stimuli to get him going. There, you see, I stirred him up. He's awake.

**Hon. Christopher Bentley:** Is this about those workers you ignored for five years?

**Mr. Rosario Marchese:** Attorney General, careful. The Speaker's going to say you're not in your seat, so just be careful. But I want you to have two minutes.

*Interjection.*

**Mr. Rosario Marchese:** Oh, Speaker, don't do that publicly.

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Trinity-Spadina would know that heckling is out of order no matter where you're sitting.

**Mr. Rosario Marchese:** I understand that Liberals need a helping hand. I understand that. I don't heckle. This is a discussion and a debate with my Liberal friends to the left, behind me, in front of me. It's a constant debate, which I enjoy.

We dealt with the underfunding of the college system. Here is another document. It's called A Highly Skilled Workforce: Strengthening Ontario's Economic Advantage, from Colleges Ontario. They say: "However, despite the new investments provided by Reaching Higher"—that historic money that addresses all of the underfunding injustices for a long time; that very funding that still keeps Ontario last, in spite of that very funding—"Ontario colleges continue to operate with less per-student revenue from operating grants and tuition fees than colleges in other provinces."

In spite of your Reaching Higher plan, you Liberals are still proudly number 10 in the country. You should stand up and say that, that your Reaching Higher has put you at the bottom of the heap, and you're proud. You should say that.

**Hon. David Caplan:** Rosario wants to cut health care.

**Mr. Rosario Marchese:** David Caplan, you should say it. Get up, you. Get up and defend the minister of post-secondary education and defend the Reaching Higher plan, that \$6 billion that puts you at the very bottom rather than, dare I say it, the middle.

*Interjection.*

**Mr. Rosario Marchese:** No, I want to tell you about you and I want to tell you about your government. I want to tell you, you've been in power for two terms. It's not about me; it's about you. It's about you and your limousine, not about me and my car. It's about accountability of governments, not about accountability of the opposition. Governments run the show; we don't. We merely push you to do good from time to time, as much and as best we can. We pressure you as best we can to do good whenever we can get you to do good. That's about all we can do.

1040

Here's another quote. I'm doing my best here. Here's another quote from the same document from Colleges Ontario, where they say this is what they need.

"This year, Ontario's colleges require:

"A \$120 million increase in core operating funding"—\$120 million. Write that down, or I can just send you a copy.

"A \$40 million increase in funding for labour market programs and services;

"A new investment of \$6 million for applied R&D and innovation;

"An additional investment of \$90 million for the renewal and maintenance of facilities and instructional equipment."

Jeff, did you get that?

**Mr. Jeff Leal:** Got them all.

**Mr. Rosario Marchese:** I can send that to you and to the minister. I know how hard he works and he doesn't have time to read all the documents sent to him by the colleges. So I can send him a copy. I can send you a copy.

College students have been going to colleges year after year in greater numbers than ever before and receiving less and less money than ever before. That's the context in which we find ourselves and in which we debate this bill today. So we're happy for those part-time college teachers who now get the right to bargain collectively.

But there is one provision that people are very nervous about. The removal of deemed strike and lockout provisions is a serious problem. The new bill removes the deemed strike and lockout provisions in sections 59(2) and 63(3) of the old bill. I want to read for the record what this means:

"These provisions determined that, when a bargaining unit was on legal strike or lockout, all employees were



deemed to be on strike or locked out and, as a result, no employee would receive any pay or benefits for the duration of the strike or lockout.

"This provision effectively dissuaded any bargaining unit employee from crossing the picket line and prevented the employer from hiring employees from the unit during a lockout."

OPSEU president Warren Thomas, said: "It is pretty outrageous that this government thinks that recognizing the charter rights of one group of workers means that another group of workers must give something up."

"In the event of a strike or lockout, removal of the deemed strike provisions means having 180,000 students walking through picket lines, potentially mixed in with scabs. This change will only serve to increase picket-line tensions and picket-line confrontations."

That is a serious worry for us and for the unions. We believe that was a right contained in the old bill, the Colleges Collective Bargaining Act, and that is being removed today. The question is, why are you doing that? Why give a right and then take another right away? Why couldn't you just let things be? If they work, why change them?

It's typical of Liberals that they always have to mix up the rights, to confuse the public, to divide people of all sorts, to divide the unions. Michael, you understand what I'm talking about. It's about a strategy of division. It's about a strategy by Liberals, not being able to give something without causing greater conflict in society. That's what Liberals do on a regular basis. Why do they do that?

I know you Liberals are happy-go-lucky types. You are so happy to be in the middle; you don't have to do a thing. It is a beautiful political advantage you have, to sit on that fence and not worry about a thing. It's a pretty lovely luxury you have. It's a luxury not to have to take a stand. Speaker, you'll let me know when the time is up. It's a luxury not to take a stand—what a happy luxury that is—versus those of us who take a stand on the left or the right and get beaten up by so many people. Not Liberals; Liberals want to go slow, as not to offend anybody. Liberals want to do little, as not to offend anybody. Liberals want to avoid doing anything for as long as they possibly can, not to offend anybody. God bless.

Speaker, I'll have another opportunity to regain this debate tomorrow morning. Thanks very much.

**The Speaker (Hon. Steve Peters):** Thank you. This debate stands adjourned.

*Second reading debate deemed adjourned.*

## INTRODUCTION OF VISITORS

**The Speaker (Hon. Steve Peters):** I'd like to take this opportunity to welcome a number of guests to the Ontario Legislature today.

On behalf of the member from Don Valley East, in the east members' gallery, from the lung cancer society:

Laurie Bass, Sarah Nass, Betty Jacoby, Ralph Gouda and Mary Jane Reese.

On behalf of the member from Essex, we'd like to acknowledge the 40-plus visitors who are joining us today from the insurance industry and the Insurance Bureau of Canada.

On behalf of page Kelvin Chukwu: his father, Roxton; his mother, Gloria; his sister, Roxanne; and his sister, Janet, are in the public galleries.

On behalf of page Jocelyn Topp: her mother, Alison Topp, and a friend of their family, Karen Allen, in the public gallery.

On behalf of the member from Hamilton Centre: Sally Palmer, the chair; and Anne Newbigging, member of the social action committee of the Ontario Association of Social Workers in Hamilton; and Rosemarie Chapman, a Hamilton resident, are in the west members' gallery.

A special welcome, on behalf of the member from Etobicoke Centre: I'd like to welcome Mr. Robert Bateman, renowned artist and naturalist. He is in the east members' gallery.

To all of our guests: Welcome to Queen's Park today.

## ORAL QUESTIONS

### AIR QUALITY

**Mr. Robert W. Runciman:** My first question is to the Premier. Premier, during the 2003 election, you spoke passionately about the 1,900 deaths in Ontario each year caused by smog-causing pollutants. That's how you justified your promise to close the coal plants by 2007. Of course, we all know that you broke that promise not once, but twice.

This week, the Ontario Medical Association reports that smog-related deaths in Ontario have increased by five times since 2003, to 9,500 a year. At this rate, by 2014 the death rate will rise to over 20,000 per year. Given your passion five years ago, what are you going to do to prevent these thousands of premature deaths?

**Hon. Dalton McGuinty:** I certainly welcome the question. I know that there is a strong consensus and shared determination for us to continue to keep working together as hard as we can to improve the quality of our natural environment here in Ontario.

I am proud to confirm once again that, to the best of my knowledge, we are the only jurisdiction on the face on this planet which is actually phasing out its coal-fired generation. That is a serious undertaking. We've already reduced our coal-fired generation by one third. We have legislated the remaining phases of that entire reduction. It's something that we are proud of; it's something that we will continue to pursue on behalf of Ontarians. There is more that we can do beyond that, and I'll be delighted to speak to those other options momentarily.

**Mr. Robert W. Runciman:** I didn't witness the passion that the Premier expressed in 2003. I asked him



specifically about the next six years and the thousands of people who are going to die in that period of time. Your inaction means that there are now more smog days per year in Ontario than in the entire eight years before the 2003 election. You made irresponsible promises you knew you couldn't keep. That's what's so appalling: The Premier sat back and did nothing to mitigate the consequences of his broken promises. Premier, are you prepared to accept responsibility for these thousands of smog-related deaths caused by your lack of a backup plan?

**Hon. Dalton McGuinty:** Just to expand a bit further on the beneficial impact of phasing out coal-fired generation: We'll have reduced coal generation by two thirds by 2011; that now has the force of law. This will be the single largest reduction of greenhouse gas emissions in Canada. It's equivalent to taking seven million cars off the road.

Just by way of contrast, in China they're putting out a new coal plant every seven to 10 days. We're going in the other direction.

In addition to that, we are making billions of dollars of new investment in public transit to give Ontarians an alternative, to take advantage of new transit that is affordable, that is convenient and that serves as an attractive alternative to using the comfort and convenience of their own car.

Those are two new approaches, by the way, which were both shunned by the previous Conservative government.

1050

**Mr. Robert W. Runciman:** The Premier, when he was the Leader of the Opposition, laid at the doorstep thousands of deaths in Ontario because, he said, we weren't closing coal plants fast enough. We're the only party that actually did close a coal plant.

It boggles the mind to hear this Premier say they're working on reducing coal emissions when they recently paid millions of dollars to Dofasco to get them to switch from natural gas to coal.

The reality is that this government can't afford to shut down coal plants by 2014. That's because once again they dithered, and by 2014 there won't be an affordable, sustainable supply of energy to replace what the coal plants currently supply.

Premier, Ontarians can't wait until 2014 to see if maybe smog deaths start to decline. What are you going to do today to put a stop to what is really a dramatic increase in deaths due to smog?

**Hon. Dalton McGuinty:** Well, in an ideal world, we'd be able to shut down the coal-fired plants yesterday, but we can't. It's taking some time, but we're making some real progress.

Let me tell you a little bit about our plan to double the use of renewable energy. We used to have 10 wind turbines in the province of Ontario. Now there are over 700 that are either under construction or completed. The largest solar farm in North America is going to be built outside of Sarnia. We're expanding capacity at Niagara

Falls; we're going to generate enough new power there to power 160,000 more Ontario homes. We're building new nuclear generation because, notwithstanding that there are some challenges associated with that and we want to be mindful of those, they don't produce greenhouse gases. We are bringing online new, clean, renewable energy. We've got a dramatic plan to drive conservation in Ontario, and we're investing heavily in new public transit.

If you put that all together, I think Ontarians will conclude it is a modern, progressive approach.

## GOVERNMENT GRANTS

**Mr. Robert W. Runciman:** I guess those thousands of deaths were only a passionate concern during the election campaign.

A second question to the Premier: On June 15 last year, the Toronto Star reported that in preparation for the upcoming provincial election, the Liberal-friendly Working Families group was being reformed, and a final decision would be made the following week. What do you know? The following week, two key players in Working Families met with your Minister of Finance in his office in the Frost Building, but no minutes were kept.

Premier, this is a serious issue where election finance laws may have been breached. Would you commit to securing information on details of that secret meeting and tabling them in this House?

**Hon. Dalton McGuinty:** I am proud to say that we have an open, continuing dialogue with every so-called group in the province of Ontario. Whether that's labour groups, whether it's heads of banks, whether it's charitable organizations, whether it's business organizations, chambers of commerce, doctors, nurses, teachers and the like, we are proud to say that we are an open government, that we have an ongoing dialogue with all Ontarians. We don't pick and choose as other governments have before. We don't divide and pit one group of Ontarians against the other as other governments have before. We believe in working with all Ontarians, and we're proud of that record.

**Mr. Robert W. Runciman:** It's another question the Premier wants to avoid, obviously. I suspect the Premier has to appreciate the seriousness of a third party coordinating its activities with a registered political party. The meeting I referred to took place in the office of the Minister of Finance, not Liberal Party headquarters. One of the unions represented at the meeting with the minister received a \$3.3-million grant the very next week, and that same union went on to donate \$150,000 to Working Families. Premier, this meeting took place on government property in a minister's office. Election laws may have been breached and funding decisions taken inappropriately. I ask you once again to reveal the details of that meeting in a government office and the decisions that flowed from it.

**Hon. Dalton McGuinty:** I can say, for example, that I've personally met with heads of nursing organizations.



They've asked me to hire thousands more nurses, and I wouldn't be surprised if some of them took credit for that. I've met with environmentalists who asked us to save the greenbelt. We've done that, and I wouldn't be surprised if some environmentalists took credit for that. I've met with business organizations. They've asked me to reduce capital taxes. We've done that. I wouldn't be surprised if some of them took credit for that. It's not a surprise that we meet with a number of groups on an ongoing basis. They ask us to do certain things. If we believe that those things serve the greater public interest, then we're only too proud and too pleased to move in that direction.

**Mr. Robert W. Runciman:** I wish I could say that was informative, but it was anything but. I'll go back over this again. The individuals who attended that meeting with the Minister of Finance in his office were Pat Dillon, a principal of Working Families, and Mike Gallagher from Local 793 of the operating engineers, who donated \$150,000 to Working Families, a Liberal-friendly organization—again, a meeting with no notes, memos or minutes. Subsequently, a week later the operating engineers had received \$3.3 million—\$5 million in grants over the next six months. These are very serious issues, Premier, and questions that arise out of this. I ask the Premier to release copies of Local 793's grant applications and provide details of the June 18 meeting. Will you do that?

**Hon. Dalton McGuinty:** The leader of the official opposition says that we shouldn't have given that money to this particular organization when he himself provided, on behalf of his government of the day, that same organization with two million public dollars. At the time, he seemed to be very proud of that. He said, "Developing a skilled workforce is key to a strong economic future. Upgrading skills of employees in the heavy equipment industry is vital for the sector. Skilled workers strengthen the competitiveness of business and industry in Ontario, improve productivity, create jobs and contribute to the growth of our economy." Bob Runciman said that when he provided that organization with \$2 million. He was right then and he's wrong today.

## AUTOMOTIVE INDUSTRY

**Mr. Howard Hampton:** A question to the Premier: Over the past few weeks we've witnessed how the McGuinty government handed out a cheque to General Motors for \$235 million without getting any product or job guarantees, and the result is that 2,600 autoworkers at the Oshawa truck plant are losing their jobs. Then we saw how 100 of the very engineers at the Oshawa GM engineering centre are being laid off as well. Now there are reports that the demand for the new Camaro model to be built at the Oshawa car plant could be less than 40,000 units, only a third of what was originally predicted. My question to the Premier is this: Can the Premier assure us that there won't be layoffs at the GM car plant after layoffs at the GM truck plant have already happened?

**Hon. Dalton McGuinty:** I welcome the question. I'm sure the leader of the NDP is prepared to recognize that we have a very competitive North American auto sector environment. We have come to the table, we have rolled up our sleeves and we have scored, I think, some major victories. The distinct impression that the leader of the NDP leaves with us on a daily basis is that we should do nothing; we should not strive to compete, we should not strive to enjoy any kinds of successes on behalf of our auto workers. If we hadn't come to the table, I am confident that we would not have landed, for example, a new Toyota plant. There are 2,000 jobs associated with that Toyota plant. Is the leader of the NDP saying that we should not have proceeded with that kind of partnership? Every single day he seems to be saying that we should allow the car industry to unfold as it might otherwise do and not roll up our sleeves and not make real and genuine efforts on behalf of Ontario families, especially on behalf of autoworkers. I reject that approach. We will continue to find ways—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

1100

**Mr. Howard Hampton:** The Premier seems to be saying two things. He seems to be saying it's okay for the McGuinty government to give General Motors \$235 million and for General Motors to lay off thousands of workers. And he seems to be saying that laid-off General Motors workers from Windsor and Oshawa should move to Woodstock. He seems to be saying that's the answer. My point is this: If the McGuinty government is going to hand out hundreds of millions of dollars to GM and other companies, the McGuinty government should get job or production guarantees, something the McGuinty government has consistently failed to do.

But I want to ask now about Chrysler's Bramalea plant. The McGuinty government handed out a cheque for \$77 million to Chrysler. Some of that money was supposed to ensure a new model at Chrysler's Bramalea plant. The so-called new model is the Dodge Challenger, a muscle car which is not selling well at all—

**The Speaker (Hon. Steve Peters):** Thank you. Premier?

**Hon. Dalton McGuinty:** I think it's probably helpful to hear from the one individual charged here in Canada with representing the interests of the auto workers, and that's Buzz Hargrove. Let's hear what he has to say on this score, because I think it's helpful. He says, "Ontario's auto policy ... leveraged over \$7 billion in badly-needed auto investments. Every automaker in the province received support for major projects, that helped make Ontario the leading automotive jurisdiction in North America." He goes on to say, "Does anyone possibly believe the Ontario government could force GM, through a one-time \$235-million investment, to keep spending \$20 billion per year making vehicles that it cannot sell? Get real."

I would say the same thing to my friend opposite. I'm with Buzz Hargrove; I'm with the CAW. I'm for con-



tinuing to find ways to work together and to strengthen the auto sector in the province of Ontario.

**Mr. Howard Hampton:** The Premier conveniently skips over the reality. Yes, some of the engineering and development was done at Oshawa, but the new investment and the jobs are moving to Mexico. The Premier seems to think that's okay. I want to tell him, for the workers at Oshawa, that's not okay.

But the Premier missed the second part of the question. Chrysler's Bramalea plant also has a problem. Their new model, the Challenger, is a muscle car that's not selling well at all. So I'm given to ask, did the Premier get any job guarantees there or are we going to see the same thing: layoffs at Chrysler's Bramalea plant? Chrysler gets the money; workers get the layoff. Can the Premier give us any assurance that we won't see more layoffs there?

**Hon. Dalton McGuinty:** The assurance that I will give auto workers and the auto sector generally is that we will continue to work as hard as we can. I'd love to live in a world where you could lock everything down and we wouldn't lose a single auto sector job here in the province of Ontario, but that's not something that we can guarantee. It's certainly not something that US governments have been able to guarantee, and more recently, even Mexico has not been able to provide that guarantee, as we saw a plant close there.

Again, I want to make reference to Mr. Hargrove and something that he had recently published, when he said that the "attacks of ... Hampton on Ontario's auto strategy are anything but informed. They are an attempt to make cheap political points, at the expense of the tens of thousands of hard-working auto workers in Ontario who quite rightly fear for their future. Myself and my members are deeply offended."

### HYDRO RATES

**Mr. Howard Hampton:** To the Premier. If the Premier thinks losing thousands of jobs in Windsor and thousands of jobs in Oshawa is a "cheap political point," then I invite the Premier to come to the Windsor demonstration tomorrow at noon. I'll be there talking with the workers.

But I want to ask this question of the Premier. About four weeks ago, we met with the auto manufacturers of Ontario. One of the points they made to us, something that is within provincial control, is the escalating cost of industrial hydroelectricity for manufacturers in Ontario. Yet the McGuinty government is set to announce huge, big nuclear plants. Can the Premier assure us that these nuclear plants will come in as budgeted and not cost manufacturers even more on their hydro bills?

**Hon. Dalton McGuinty:** I know that the Minister of Energy is going to want to speak to this shortly, but let me just say this: We have decided, as a government—and I know that Ontarians want us to move in this direction—understanding that about 50% of our electricity now comes from nuclear generation, we're going to have to

modernize our existing fleet: renew some of those and build new generation. It's not a decision that we've taken lightly, and there are real costs associated with this; there are significant costs associated with this. I'd like to be able to say that we can nail down all those costs today, but not even the leader of the NDP knows what the price of oil is going to be 10 or 15 years from now, or the price of steel or the price of labour. We'll do everything we can to contain those costs, but we must move forward with the construction of new nuclear generation in Ontario, and we will not shrink from that task.

**Mr. Howard Hampton:** I didn't hear an answer to the question. What I do know is this: The history of nuclear power in Ontario is a very expensive history. No nuclear plant has been built in Ontario that has come in on budget. They've all been over budget—billions of dollars over budget. Darlington was supposed to cost under \$4 billion; it ended up costing almost \$15 billion. The latest nuclear plant being built in Finland by Areva is now two years late and \$2 billion over budget.

I ask again: Can the Premier give manufacturers in Ontario any assurance that his backroom decision to move even greater into nuclear power will not cost manufacturers huge hydro bills in the future?

**Hon. Dalton McGuinty:** To the Minister of Energy.

**Hon. Gerry Phillips:** For the public's information and maybe the leader of the third party, just to set the record straight on industrial prices: Since 2003, the all-in industrial price in the province over those four years has gone up well less than inflation. We, the government, are very conscious of the need for an affordable electricity plan in the future.

I would also say—you use terms like "secret" and whatnot. We've published our plan. It is a 20-year plan. It's out there for the public and, in fact, is now before the Ontario Energy Board. There is nothing secret about it; it's extremely public. It starts with conservation, and that's where we put our focus. We are going to: reduce our use through conservation by roughly 20%; double renewable energy; and maintain our nuclear fleet.

I'd just say to the member: Be cautious with the language you use. There's nothing secret about this. It is a public—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Final supplementary?

**Mr. Howard Hampton:** What is appalling about this argument is that this is a government that, in the backroom, changed the Ontario Environmental Assessment Act so that your nuclear scheme would not have to undergo a full-fledged environmental assessment. This is a government, if you look only a year ago, that had a backroom slush fund just before the election. This is a government that has handed out \$235 million to General Motors and got no jobs guarantee. Now this decision is going to be made in the backroom as well. I ask: Can you give the manufacturers—the forest sector, the auto sector, the steel sector—any assurance that this is not going to drive hydro rates even higher and kill more jobs in Ontario?



**Hon. Gerry Phillips:** You throw mud indiscriminately. I'd just say to the member: Be a little cautious and try to deal a little bit with the facts. This has been a public process. We released a request for proposals publicly. It is out there on the website. We invited applicants to come forward. We have evaluated them. We will be issuing another request for proposals—all public. The contract that we will sign with the winning proposal will be public. You can indiscriminately try to throw mud, but you should try to deal with the facts periodically as well.

I would say to the public: What we're determined to do is to ensure that, going forward, we have an electricity plan that is reliable, affordable and done in the most environmentally sensitive way. It's public for all the public to look at. I would tend to discount a fair bit this language that does not bear a relationship to what's actually taking place.

1110

### SCHOOL SAFETY

**Mr. Frank Klees:** My question is to the Premier. I want to bring a matter to the Premier's attention that I'm sure he'll be very concerned about as well. On March 4, a 6-year-old grade 1 student was assaulted in the washroom of a York region Catholic school by two 13-year-old students. Although the principal was made aware of the assault, she did not report it to the parents. The parents found out about this from the boy's sister, who attends the same school. The 6-year-old had been beaten with a belt. When the parents confronted the principal and asked if she would contact the police, the principal said no, and that she had no intention of reporting the matter. The parents called the police, who charged the two 13-year-old boys with assault and assault with a weapon. To this day, the parents have yet to receive a formal acknowledgment from the school board or the principal of a failure to act responsibly.

I want to know from the Premier, will he agree to intervene to ensure that the school board takes—

**The Speaker (Hon. Steve Peters):** Thank you, Premier?

**Hon. Dalton McGuinty:** It's the first time that I've been apprised of these facts. They are, to say the very least, disturbing. I will certainly undertake to bring this to the attention of the Minister of Education so that she can move on this as quickly as possible and learn more about it herself and then take the appropriate steps. Obviously, our thoughts are with the parents of the child involved, and I think we have a very high accountability to them to keep them informed and to ensure that these kinds of things are, in fact, reported at the earliest possible opportunity.

**Mr. Frank Klees:** I have been working with the parents over the last number of months in the wake of this incident. I wrote a letter to the director of education. Her response to me showed that the director of education was misinformed about this incident. In response to that

letter, the mother said this: "The letter shows nothing but the board having any desire for reaching a satisfactory resolution to this matter in the near future, but only reinforces the efforts made by the school and board to downplay and conceal the assault and the mishandling of it under their direction."

What we don't want to have happen here is that parents lose faith in the safety of the schools their children are attending. I welcome the Premier's willingness to direct the minister to look into this matter personally. We all want to be assured that parents have the confidence that their children will be safe in their schools and that principals will deal properly, as well as teachers—

**The Speaker (Hon. Steve Peters):** Thank you, Premier?

**Hon. Dalton McGuinty:** Again, I can't speak to the facts because I'm not familiar with them myself. I will have the minister look into this as soon as possible. I think that's the responsible thing to do in the circumstances. But let me just second the sentiment expressed by my colleague opposite. If there's one thing that I think we are legitimately entitled to expect of our publicly funded school system, it's that our children will, at a minimum, be safe there. Notwithstanding quality-of-education issues and challenges associated with learning, at a minimum, we expect that our children will be safe in the schoolyard and within the school building itself. That's a legitimate expectation. I fully endorse the sentiment expressed by my colleague. As I say, I will ask the minister to look into these facts and report.

### SEVERANCE PAYMENTS

**Mr. Paul Miller:** My question is to the Minister of Labour. Here we go again. Premier Wire in Alexandria, Ontario, is shutting down permanently later this month. More workers will be out of work. Many of them put decades into this company. To add insult to injury, the company is playing hardball and refusing to sit down with the workers and discuss fair severance. My Bill 6, which I brought before this House before Christmas, would have dealt with these types of situations, when thousands of people in this province are losing their severances. That government shot it down, wouldn't even read it, wouldn't even look at it and wouldn't even discuss it. When will this minister agree that Ontario's labour laws need to be overhauled to protect workers all over this province?

**Hon. Brad Duguid:** I thank the member for the question. Let me begin by saying that Ontario is the only province in the country—and the member should know this—that has statutory protection for severance pay. That's important. So we are there and we are protecting workers across this province.

Where the member is correct is that there are issues that have to be dealt with, with regard to the protection of severance pay, but they need to be dealt with in Ottawa. We've made sure that we've been in touch with the



Minister of Labour federally; in fact, we have the support of a number of provincial Ministers of Labour, as we seek leadership in Ottawa to amend the Bankruptcy and Insolvency Act and provide a greater level of priority to severance and termination pay.

We have taken leadership on this issue. We're being joined by other provinces across the country, and we're determined to continue to work with Ottawa to encourage them to change that act.

**Mr. Paul Miller:** Pass the buck again; blame somebody else.

Minister, our labour laws do nothing for the workers of Premier Wire because a layoff of this size does not qualify under your existing legislation. But it doesn't feel like a small-scale layoff to the workers, their families and the tight-knit community that has been struck hard by this. This is yet another example of why we need better protection for workers facing layoffs, regardless of how many, or how large or how small their workplace might be. Why doesn't this minister move on this? Stop blaming other governments. You have the power to change it.

**Hon. Brad Duguid:** Once again, let me be clear. Ontario is the only province in the country that has statutory protection for severance pay for workers. That's important.

Unfortunately, what the member didn't say in his question is how he wanted to fund his program. What he wanted to do is tax workers and businesses across this province with a payroll tax. Is that what we want to do during this time?

We have taken away the taxes for manufacturers with regard to the capital tax. We've contributed to helping grow this economy through those initiatives. The NDP say they care about workers, yet they want to tax manufacturers to pay for that program. That is not the way to go. We will not contemplate doing that. We're here to help manufacturers. We're here to help workers keep those jobs, not to take them away, and that's what the NDP policy would do.

### SKILLS TRAINING

**Mr. Bob Delaney:** I have a question for the Minister of Training, Colleges and Universities. Last week, the minister and the Premier launched Ontario's \$355-million second-career strategy, which will provide long-term retraining to recently laid-off unemployed individuals. This is going to help a lot of laid-off workers get long-term training and high-value jobs.

The second-career program covers people who have been laid off since June 2007. My question for the minister is, what are we going to do about all the people who lost their jobs before June 2007?

**Hon. John Milloy:** I welcome the question from my colleague. It gives me a chance to correct the record. Unfortunately, I think the opposition have sown a bit of confusion here in the Legislature about supports that are available to all Ontarians anywhere in this province who find themselves without a job.

On January 1, 2007, the suite of federal training programs was transferred to the province, and together we put forward a network of over 1,200 agencies throughout Ontario that form the Employment Ontario network. Through this network, they provide support to any Ontarian who's looking for a job. Not every Ontarian needs retraining. Oftentimes, it's about help with job search techniques, information about the local labour market, and resumé writing. We also offer them literacy and skills upgrading. For those workers who are eligible for employment insurance, we offer access, through the Ontario skills development program, to training opportunities.

**Mr. Bob Delaney:** The minister mentioned the Ontario skills development program, which is part of Ontario's \$1-billion Employment Ontario program. However, the leader of the third party alleged yesterday that people who have run out of their EI cannot apply for this training.

Would the minister please clarify whether workers who have lost their jobs and exhausted their employment insurance benefits can access retraining through the Ontario skills development program?

**Hon. John Milloy:** Once again, it's a wonderful opportunity to clarify the record for everyone. Since the transfer of federal programs on January 1, 2007, some 37,000 Ontarians have participated in training programs through the Ontario skills development program. As it is a federal program, it's open to those individuals who are currently receiving employment insurance or who received regular employment insurance benefits up to three years ago. In fact, records indicate that 15% of individuals who have participated in this program had seen their employment insurance benefits run out. So I think I want to correct the record of what was said yesterday to say that on top of the other suites of services that are offered by Employment Ontario, we offer the skills training opportunity for workers who have been on employment insurance. As has been discussed, for recently laid-off—

**The Speaker (Hon. Steve Peters):** Thank you. New question?

1120

### AUTOMOTIVE INDUSTRY

**Mr. Ted Chudleigh:** My question is to the Minister of Economic Development and Trade. The Liberal government's method of shovelling money out the door with abandon is catching up with them.

The auto sector is in real crisis, and they need a responsible partner in government. They need a partner that can help the whole industry, that protects workers and that encourages innovation with a competitive tax structure. That might mean that the cricket clubs won't get \$1-million handouts anymore, and that's too bad. Instead, it means that corporate subsidies will come with conditions. They'll come based on good research and careful planning, not on the whim of the Premier and his minister.



Minister, recent events have clearly revealed that your auto sector investment strategy is simply not working. Ontarians are concerned that \$650 million of their hard-earned tax dollars have vanished into thin air, yet all you can do is sing your own praises. If you are so confident in your program, will you commit today to calling on the Auditor General to perform a special value-for-money audit—

**The Speaker (Hon. Steve Peters):** Thank you, Minister.

**Hon. Sandra Pupatello:** I find it very interesting that one member of the Conservative caucus says one thing but another says something else. I would just like them to come together as a caucus, perhaps involve their leader, and decide what position today they're going to take on support for the automotive sector.

The member from Oshawa says one thing; the member nearby in Ajax–Whitby says another. “I wouldn’t dismiss (another provincial investment) out of hand, especially where I come from. General Motors is the primary employer.” That’s Christine Elliott, last month, 2008. “I think it’s important that they be given whatever support that they can give.” Again that’s Christine Elliott.

Please pick a side. Are you on the side of GM, are you on the side of workers, or are you just an irrelevant party with an irrelevant position?

**Mr. Ted Chudleigh:** The fact is, we can’t believe what this minister says anymore. You can be as loud as you want, give us mean looks and point your finger everywhere you want, but that won’t change the fact that this Liberal government’s deals with GM and other manufacturers are very suspect. It won’t change the fact that on your watch, thousands of auto workers have been left out in the cold. You’ve been secretive about this for months, and your figures regarding contracts and job guarantees are in constant flux.

Whether you’re in front of the media, at committee or answering questions in this House, you continuously demonstrate that you do not fully grasp the complex details of your portfolio. All you can do is stand there with anger in your eyes and decry the opposition for opposing you.

Minister, you’re clearly in over your head. It is time to seek guidance. Will you call for a special audit of your automotive investment strategy today and give Ontarians the satisfaction they deserve?

**Hon. Sandra Pupatello:** I guess it does continue, because the leader in the House for the Conservative Party said that “getting involved in the investment side of new technology and innovation I think is an appropriate role for government.” Bob Runciman, June 5. That was just the other day.

So let me say again: Which half of the caucus are you on? Are you on the half that is opposed to the auto sector? Are you on the half that is supporting the automotive sector? I would like to say to this member in particular: We have had investment programs that are working, and in fact they’re working in this member’s own backyard. I would encourage this member to look in

his own backyard for real jobs that have come to Halton as a result of the programs of this Ontario government. I will be sending your voting record to the very people you purport to support.

## ABORIGINAL RIGHTS

**Mr. Howard Hampton:** To the Premier: Today, as the Premier watches the Prime Minister apologize to First Nations, will the Premier apologize for the McGuinty government’s failure to properly consult and accommodate First Nations before allowing mining exploration companies to stake mining claims on First Nations’ traditional lands? And will the Premier apologize to First Nation leaders from Kitchenuhmaykoosib Inninuwug First Nation and Ardoch First Nation when those leaders were jailed because of the McGuinty government’s failure to properly consult and accommodate First Nations?

**Hon. Dalton McGuinty:** I’m disappointed. I don’t think I’ve ever said that before, but I just can’t think of a better expression. There’s something really important that’s going to take place this afternoon in the House of Commons in Ottawa. The Prime Minister and I are on different sides on many issues, but on this side I’m squarely in his camp, because I think it’s the Canadian camp.

He’s going to offer a very important apology on behalf of the people of Canada for a painful period in our history which we must acknowledge and come to grips with. This apology, I hope, will serve as part of an ongoing effort to reconcile ourselves to our past, to our present, and to lay the foundation for a stronger future, especially for our aboriginal community. So I just don’t know why the leader of the NDP would want to —

**The Speaker (Hon. Steve Peters):** Thank you, Premier. Supplementary?

**Mr. Howard Hampton:** I believe every member of this Legislature supports what the Prime Minister of Canada is doing today. But it seems to me, given the recent history of Ontario, that this Premier has something to apologize for. The fact of the matter is that innocent First Nation leaders were jailed in Ontario under the McGuinty government. Why? Because they stood up for their treaty, their constitutional and their aboriginal rights.

They said, “We want the McGuinty government to observe the constitutional law of Canada,” which requires the McGuinty government to properly consult and accommodate First Nations before you allow mining claims to be staked in their territory. They asked that the McGuinty government use section 35 of the Mining Act to exempt their traditional lands from mining staking. I agree, I support the Prime Minister, but will the Premier apologize for —

**The Speaker (Hon. Steve Peters):** Thank you, Premier?

**Hon. Dalton McGuinty:** There is undoubtedly more work to be done here in Ontario. I look forward to



building on the foundation of reconciliation that will be further strengthened by the Prime Minister this afternoon.

But I'd like to think we have moved somewhat here in Ontario. I think, in comparison to the previous decades, we've moved at a rather fast pace. We've got a new ministry; we have a minister. We have a budget devoted to aboriginal issues. We've resolved the Ipperwash matter. We have a new gaming revenue sharing agreement. We have a new partnership fund that we put in place. I think those are significant milestones that we have just put in place ourselves.

Again, today, I would like Ontarians and Canadians to understand the significance of the event that will take place this afternoon, the importance to all of us to establish that spirit of—

**The Speaker (Hon. Steve Peters):** Thank you, Premier. New question.

### ONTARIO ARTISTS

**Ms. Leeanna Pendergast:** My question is for the Minister of Culture. This past weekend, I was pleased to join the Minister of Culture in Kitchener to launch the Spotlight festival, Ontario's first Celebrate Our Artists weekend. Many constituents in my riding of Kitchener-Conestoga were treated to a weekend filled with free events, including literature, movies, theatre, dance and performing arts. We also enjoyed unique behind-the-scenes workshops, lectures and artists' talks. It created a vibrant atmosphere that's truly reflective of our province and our people.

Our culture defines us. Can the Minister of Culture please explain what action the government has taken to acknowledge the importance of Ontario's artists?

**Hon. M. Aileen Carroll:** Ontario's artists not only enrich our lives, they also give expression to who we are, where we come from and where we want to go. The McGuinty government is pleased to support our artists, because we recognize that they contribute to our economic prosperity and to our social vitality. That is why we formally recognize the valuable contributions that artists make to our province.

As part of this recognition, we committed to celebrating the importance of Ontario's artists in communities right across this beautiful province. That is why we proclaimed the first weekend in June as Celebrate Our Artists weekend, a time when we shine the spotlight on their valuable contributions.

1130

**Ms. Leeanna Pendergast:** I'm pleased to hear that the government recognizes the valuable contributions our artists make. I can tell you that in my riding of Kitchener-Conestoga, artists and arts organizations have created a vibrant community for residents and families to enjoy. Indeed, Ontario is fortunate to be the home of many talented artists, not just in my riding but in communities throughout the province.

Can the Minister of Culture please elaborate on what else the government has done to celebrate our artists in communities across Ontario?

**Hon. M. Aileen Carroll:** My colleague from Kitchener and I had a wonderful time together, and my colleague behind me as well.

Kitchener wasn't the only community where we celebrated our artists this weekend. We also held festivals in Waterloo, Stratford, Guelph, Cambridge and surrounding areas. These festivals shone the spotlight on 250 artists, and more than 100 free activities were held by these artists and art organizations. Many of the activities provided local residents with a chance to explore the arts first-hand and get involved in community participation.

Through these Celebrate Our Artists festivals, we hope Ontarians will gain a broader appreciation for the arts and for the artists themselves. I use as an example one of Ontario's most pre-eminent and highly regarded artists, Robert Bateman, who has joined us here in the west gallery this morning.

### TOURISM

**Mr. Garfield Dunlop:** My question today is for the Minister of Small Business and Entrepreneurship. The tourism industry has been warning this government for weeks that it needs immediate action from this government. In fact, for five years now, resorts in Ontario have seen a steady decline in vacancy rates.

On Tuesday, the North Bay city council called on your government, the McGuinty government, to consider the PC Party's summer tax relief plan to cut PST on hotels and attractions this summer so they can support their struggling tourism industry. What is your answer to the North Bay city council? Will you help them out this summer? Will you, Mr. Minister, support our summer tax relief plan?

**Hon. Harinder S. Takhar:** To the Minister of Tourism.

**Hon. Peter Fonseca:** I thank the member for the question. One thing I could tell the member is that this government is committed to a sustainable, vital and viable tourism sector. That's why we are not moving on poor Band-Aid measures like the Tory party has come up with.

What we are doing is working with all our partners in tourism and making sure that we have a comprehensive strategy. Part of that strategy was a \$30-million investment last fall in the tourism sector, making sure that we can help all our partners, especially for this summer season. Our campaign, "There's no place like this," has been hugely successful. The numbers are coming. The member should applaud that campaign, that marketing initiative.

**Mr. Garfield Dunlop:** I would have at least thought that the Minister of Small Business would have actually cared about small businesses in this House when they're suffering so badly. Anybody who would call our plan a piecemeal effort I don't think understands the job of being the Minister of Tourism.

As gas prices continue to soar, the US economy stumbles and job losses are announced almost every day,



people cannot afford to take their families on summer vacations this year. Hotel and resort owners need immediate relief, not another study. They don't need a government that's going to wait a year and tell them what they already know, that tourism is already in trouble. Many jobs are at stake. Tourism could use billions of dollars this summer.

Our party has put forward a practical plan, a summer tax relief plan that will give hotel and resort owners like those in North Bay a helping hand. Why won't you consider North Bay's request? Or are you planning on turning your back on another Ontario community?

**Hon. Peter Fonseca:** The one thing we can agree on is talking about North Bay. I applaud the champion member we have here for North Bay in Monique Smith. North Bay is a four-season destination with a wonderful lake, wonderful attractions, festivals, events, and so many things to do.

Unfortunately, we have a party over there that votes against every tourism measure. They voted against the \$30-million injection that helped tourism. They voted against our budget bill, which put \$92 million into initiatives and tax measures that will help the tourism sector over the next five years. It is very unfortunate that we have an opposition party that looks to knock our tourism sector, knock our partners and talk poorly about—

**The Speaker (Hon. Steve Peters):** Thank you. New question?

#### STUDENT ASSISTANCE

**Ms. Andrea Horwath:** My question is for the Minister of Children and Youth Services, and it's about a promise that she made exactly one year ago to members of the social action committee of the Ontario Association of Social Workers, Hamilton and district branch. When is this minister going to ensure that post-secondary students from families that are low-income and receiving social assistance and who live at home and work part-time don't have their earnings clawed back?

**Hon. Deborah Matthews:** I thank the member opposite for her question. Let me just clarify one thing: It is not a promise I made to fix the problem; the promise I made was to look into solutions. I can tell you that the poverty reduction strategy has as its very foundation that every person in this province has the opportunity to fulfill their potential regardless of the financial circumstances of their family. We are, as you know, travelling the province listening to ideas. This is a very important idea.

I will refer the supplementary to the Minister of Community and Social Services as it does relate to our social assistance rule. But let me assure you that the poverty reduction committee is very committed to improving opportunities for all people in this province.

**Ms. Andrea Horwath:** This minister can refer it to whomever she wants, but it was her promise to the people of Hamilton when she was there consulting before the last election. Her semantics are not going to make a

hill of beans of difference to Rosemary Chapman or the advocates who originally raised this question not too long ago. Rosemary saw her monthly disability support cheque cut significantly because her daughter attends university and makes \$500 a month at a part-time job, which doesn't go very far, as we all know, with the current cost of living and the high tuition fees in this province. Thanks to the NDP's efforts, those secondary school students and youth enrolled in training programs are already exempt from the calculations of family income for ODSP and Ontario Works. When will the McGuinty government add post-secondary students' earnings to the list of exemptions and stop demoralizing these students and their families?

**Hon. Deborah Matthews:** To the Minister of Training, Colleges and Universities.

**Hon. John Milloy:** As my colleague mentioned, we're always looking at ways to reform the OSAP system, but I'd like to point out that under our government we've invested \$1.5 billion in supports for students and made efforts to try to convince students, especially those from circumstances where they wouldn't normally have access to post-secondary education—to ensure they have it.

In terms of social assistance, I'd like to point out that my ministry's Ontario student assistance program works in partnership with the Ministry of Community and Social Services, the Ontario disability support program and Ontario Works, as well as financial staff at Ontario's post-secondary institutions, to ensure that social assistance recipients enrolled in post-secondary studies receive the funding they need to pursue post-secondary studies. Students with disabilities make—

**The Speaker (Hon. Steve Peters):** Thank you. New question?

#### PROTECTION FOR WORKERS

**Mrs. Laura Albanese:** My question is for the Minister of Labour. All of us in this House would agree that the nature of work is changing. Many different types of employment arrangements are now the norm, and the rise in temporary help agencies testifies to that fact. In the past, employment through these agencies was mostly short-term clerical jobs that lasted a few days or weeks. Today, agencies supply workers in a wide range of occupations, and an employee of an agency might be assigned to a single-client business for several months or even years. This raises questions about whether temporary help agency workers are being treated fairly compared to permanent or regular employees.

Would the minister tell us what our government plans to do about the challenges faced by temporary workers in Ontario?

1140

**Hon. Brad Duguid:** I want to thank the member for her advocacy for vulnerable workers. I know she has worked very hard in her own riding and across this province.



Our government is committed to ensuring that employees working through temporary agencies are properly protected under the law. Issues have been raised by a number of stakeholders, and I've had the opportunity to meet with many stakeholders on this issue. They have raised certain concerns about practices that some temporary agencies are engaging in that may be negatively impacting workers employed in this sector. We want to learn more about these issues. We want to determine if indeed changes are required to the Employment Standards Act—not only are changes required, but what should those changes be? So I've asked my parliamentary assistant, Mr. Vic Dhillon, MPP for Brampton West, to engage in a consultation on this process—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary.

**Mrs. Laura Albanese:** I thank the minister for that information. It's good to know that our government is hearing the concerns being expressed by vulnerable workers in this province and is taking them seriously. Minister, can you please tell this House what our government is currently doing to help temporary agency workers?

**Hon. Brad Duguid:** As I was referring to in my original answer, we've begun a consultation process. It was launched on May 21. It will continue through until July 7. It is being led by my parliamentary assistant. We're inviting the public to assist us by participating in this important consultation. The information that is brought to our attention we'll take very, very seriously. I encourage the public to go to the Ministry of Labour website, where they can, from the confines of their own homes, consult with us, inform us, help us in our efforts to ensure that we make every effort to improve the protections for these temporary workers. I want to thank Parkdale Community Legal Services, the Workers' Action Centre and many other advocacy groups who have been working very closely with us in these efforts.

#### CHILDREN WITH SPECIAL NEEDS

**Mrs. Julia Munro:** My question is for the Minister of Children and Youth Services. Recently I met with the Child Development Institute. They told me that research demonstrates the need for special programs to deal with behavioural problems in girls, particularly aggression. The institute has created the only gender-specific, empirically supported program for this vulnerable population. Today, 90 sites around the world use their program, started here in Ontario. Minister, have you been briefed on this program, and are you personally aware of the success of this program in dealing with behavioural problems in girls?

**Hon. Deborah Matthews:** The answer to the question is that I have heard of this. I am actually in the process of researching this issue myself. Some people have given me a book they want me to read, and I've started to read it, about girls and aggression. We are seeing changing patterns of behaviour among girls. So to answer your

question, it's an issue that I think we really do have to look into. I see it as both a women's issue and a children and youth services issue and I look forward to learning more.

**Mrs. Julia Munro:** The Child Development Institute developed the program through donated dollars. Due to the growing need for research and services, these donations are no longer enough. They asked you last month to provide public funding. Will you commit to providing the money they need for this important program?

**Hon. Deborah Matthews:** I'm happy to note that we have another "spend" question today. But I don't want to make light of the issue, because it's an important issue. I am a passionate believer in using the evidence, that our programs should be based on good, solid evidence. Of course I cannot commit today to funding the organization, but, as I said earlier, I will commit to looking more into this important initiative.

#### POVERTY

**Mr. Michael Prue:** My question is to the Minister of Children and Youth Services. My question is a simple one: When were the invitations to last night's closed-door, by-invitation-only consultation actually sent out?

**Hon. Deborah Matthews:** I find myself very confused by this member. As a bit of background: He followed me to Peterborough; he followed me to Cobourg; he followed me to Ottawa. Last night we invited the member because it was his community, and he came and stayed for an hour. I was delighted he was there, but I would have thought, if he'd really wanted to be part of it, he could have spent the evening.

Having said that, on the one hand he says, "You don't need to consult; just get to work." Now he says, "Consult more." I wish I knew where this member stood on poverty reduction.

**Mr. Michael Prue:** For the minister's edification, I stayed at the meeting twice as long as the Minister of Health Promotion did.

Last night there were 25 or 30 people in the room; most of them were either ministerial staff or people who work for social agencies. Only one person could make the claim that they were on social assistance. I don't know, because you didn't answer the question on when you sent out the invitations, but when I asked those who were present, they said that the invitations were received last week or on Monday.

My question: How many people in poverty were invited to last night's meeting and when were they informed of the time, the date and the location?

**Hon. Deborah Matthews:** To answer the question: The member has raised an important issue, and that is, how do we get the voices of people living on low income? What we have done is, we always invite members of organizations to bring one of their clients, one of their members, with them. We are hearing from them that there isn't a comfort level doing that. That is why I am going out to youth shelters, to transition houses, to



women's shelters. I am learning first-hand from people who are living in poverty what they want this government to do.

Let me just take a minute and talk about who was there last night: Tropicana Community Services, CARO, Toronto and York Region Labour Council, Scarborough Community Legal Services, ODSP Action Coalition, ACORN, the LHIN, Metro Toronto Chinese and South-east Asian Legal Clinic, Family Service Association of Toronto, city of Toronto, United Way, Association of Friendship Centres; the—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. The time for question period has ended.

## PETITIONS

### LORD'S PRAYER

**Mr. Jim Wilson:** I want to thank the members of the congregation of St. Paul's Roman Catholic Church in Alliston for sending this petition to me.

"Whereas Premier Dalton McGuinty has called on the Ontario Legislature to consider removing the Lord's Prayer from its daily proceedings; and

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe; and

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"We, the undersigned, petition the Legislative Assembly of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

I've signed this petition and I agree with it.

### LUNG CANCER

**Mr. Phil McNeely:** I'd like to acknowledge Mrs. Laurie Bass, who, along with her daughter, prepared this—with Sarah Nass; mother Betty Jacoby, Mary Jack and former Lung Cancer Ontario president Ralph Gouda, who are sitting in the gallery today. These folks worked tirelessly to coordinate the effort to gather the hundreds, if not thousands, of signatures affixed to this petition, a petition originally submitted to the Honourable David Caplan. Congratulations to all of you.

"Whereas lung cancer is the leading cause of cancer death in both men and women in Ontario, killing more Canadians than breast, colon and prostate cancer combined; and

"Whereas there are no standardized screening guidelines for early detection of lung cancer and it receives only a fraction of the funding and support committed to other cancers and diseases; and

"Whereas Lung Cancer Canada is committed to raising awareness while providing support and resources to patients, families and health care professionals;

"We, the undersigned, petition the Legislative Assembly of Ontario to officially proclaim and hereforth recognize the month of November in Ontario as lung cancer awareness month."

I will submit this petition.

### LORD'S PRAYER

**Mr. John O'Toole:** It's my pleasure to read a petition on behalf of the parishioners of St. John's Anglican Church in Bowmanville. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its"—rightful—"place at the beginning of daily proceedings in the Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message of forgiveness and the avoidance of evil is universal to the human condition: It is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker"—that's you, sir—"in the Legislature."

I am pleased to sign and present this to Ellen, one of the new pages.

### PROTECTION FOR MINERS

**M<sup>me</sup> France Gélinas:** I have a petition from the people of Cartier in my riding.

"Whereas current legislation contained in the Ontario health and safety act and regulations for mines and mining plants does not adequately protect the lives of miners, we request revisions to the act;

"Lyle Everett Defoe"—a member of my riding—"and the scoop tram he was operating fell 150 feet down an open stope (July 23, 2007). Lyle was 25 years and 15 days old when he was killed at Xstrata Kidd Creek mine site, Timmins.

"Section R-60 ... states that, 'A shaft, raise or other opening in an underground mine shall be securely fenced, covered or otherwise guarded....' The stope where Lyle was killed was protected by a length of orange plastic snow fence and a rope with a warning sign. These barriers would not have been visible if the bucket of the scoop tram was raised. Lyle's body was recovered from behind the scoop tram.

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Concrete berms must be mandatory to protect all open stopes and raises;

"All miners and contractors working underground must have working communication devices and personal locators;

"All equipment involved in injuries and fatalities must be recovered and examined unless such recovery would endanger the lives of others; and

"The entire act must be reviewed and amended to better protect underground workers."

I fully support this petition and will affix my name to it. I will be sending it with page Brianne.

### HOSPITAL FUNDING

**Mr. Joe Dickson:** I have a petition to the Legislative Assembly of Ontario.

"Whereas the Central East Local Health Integration Network board of directors has approved the Rouge Valley Health System's deficit elimination plan, subject to public meetings; and

"Whereas it is important to ensure that the new birthing unit at Centenary hospital, a \$20-million expansion that will see 16 new labour, delivery, recovery and postpartum (LDRP) birthing rooms and an additional 21 postpartum rooms added by October 2008, will not cause any decline in the pediatric services currently provided at the Ajax-Pickering hospital; and

"Whereas, with the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a project that could reach \$100 million, of which 90% is funded by the Ontario government, it is important to continue to have a complete maternity unit at the Ajax hospital; and

"Whereas it is also imperative for the Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding; and

"Whereas the parents of Ajax and Pickering deserve the right to have their children born in their own community, where they have chosen to live and work;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Rouge Valley Health System continue to provide the current level of service; and

"That our Ajax-Pickering hospital now serves the fastest-growing communities of west Durham; and

"That the Ajax-Pickering hospital retain its full maternity unit."

I attach my signature to this, and I will pass that to Jocelyn.

### LORD'S PRAYER

**Mr. John Yakabuski:** I have a petition for the Legislative Assembly of Ontario, and I continue to receive thousands of names for this petition.

"To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its place at the beginning of daily proceedings in the Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message of forgiveness and the avoidance of evil is universal to the human condition: It is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I support this petition. I sign it and send it down with Charles.

### ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

**Mr. Jeff Leal:** I have a petition today to support the Provincial Animal Welfare Act.

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Society for the Prevention of Cruelty to Animals Act has not been updated since 1919;

"Whereas Bill 50 would require all veterinarians to report suspected abuse and neglect, protecting veterinarians from liability;

"Whereas it would allow the OSPCA to inspect and investigate places where animals are kept;

"Whereas the bill would prohibit the training of animals to fight;

"Whereas Bill 50 would allow the OSPCA to inspect roadside zoos;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 50, entitled the Provincial Animal Welfare Act, 2008, to protect our animal friends."

I agree with this and will affix my signature to it.

### HOSPITAL FUNDING

**Mr. Frank Klees:** I have a petition to the Ontario Legislative Assembly relating to the western Mississauga ambulatory surgery centre. It reads as follows:

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures



that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I have no hesitancy in applying my own signature to this petition.

#### LORD'S PRAYER

**Mr. Bill Mauro:** I have a petition addressed to the Legislative Assembly of Ontario that reads as follows:

"Whereas an all-party committee is reviewing the recital of the Lord's Prayer at the beginning of daily proceedings in the Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message is one of forgiveness, of providing for those in need of their 'daily bread' and of preserving us from the evils that we may fall into; it is a valuable guide and lesson for a chamber that is too often an arena for conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the Lord's Prayer in the Legislature."

I agree with this. I will put my signature to it and I will give it to Kelvin.

#### COMMUNITY SAFETY

**Mr. Yasir Naqvi:** "To the Legislative Assembly of Ontario:

"Whereas crack houses, brothels and other persistent problem properties undermine a neighbourhood by generating public disorder, fear and insecurity; and

"Whereas current solutions—enforcement measures based on current criminal, civil and bylaws—are slow, expensive, cumbersome and not always successful; and

"Whereas safer communities and neighbourhoods (SCAN) legislation is provincial, civil law which counters the negative impact on neighbourhoods of entrenched drug, prostitution or illegal liquor sales based out of homes and businesses and is being successfully utilized in Manitoba, Saskatchewan, Nova Scotia and the Yukon; and

"Whereas the following have endorsed SCAN legislation: city of Ottawa, city of Kingston, city of Hamilton, federation of Ontario municipalities, Ottawa Police Service, Ottawa Police Services Board, Ottawa Centre

MPP Yasir Naqvi, Ottawa Neighbourhood Watch executive committee, Concerned Citizens for Safer Neighbourhoods, Eastern Ontario Landlord Organization, Friends and Tenants of Ottawa Community Housing, Hintonburg Community Association, Somerset Street Chinatown BIA, Boys and Girls Club of Ottawa and the Dalhousie Community Association;

"Be it resolved that we, the undersigned, urge the province of Ontario to enact safer communities and neighbourhood (SCAN) legislation in Ontario for the benefit of our neighbourhoods and communities."

I wholeheartedly agree with this petition. I affix my signature and send it to you by way of page Christopher J.

#### POPE JOHN PAUL II

**Mr. Bob Delaney:** I have a petition to the Parliament of Ontario. It reads as follows:

"Whereas the legacy of Pope John Paul II reflects his lifelong commitment to international understanding, peace and the defence of equality and human rights;

"Whereas his legacy has an all-embracing meaning that is particularly relevant to Canada's multi-faith and multicultural traditions;

"Whereas, as one of the great spiritual leaders of contemporary times, Pope John Paul II visited Ontario during his pontificate of more than 25 years and, on his visits, was enthusiastically greeted by Ontario's diverse religious and cultural communities;

"Therefore we, the undersigned, petition the Parliament of Ontario to grant speedy passage into law of the private member's bill" by Oak Ridges-Markham MPP Frank Klees entitled "An Act to proclaim Pope John Paul II Day."

I'd like to thank Leszek Robak of Emerson Lane in Mississauga for having sent these to me. I'm pleased to sign them and to send them down with page Megan.

#### EMPLOYMENT INSURANCE

**Mr. Tony Ruprecht:** This petition is entitled "Fairness for Ontario workers' employment insurance." It is addressed to the Legislative Assembly of Ontario and reads as follows:

"Whereas the federal government's employment insurance surplus now stands at \$54 billion; and

"Whereas over 75% of Ontario's unemployed are not eligible for employment insurance because of Ottawa's unfair eligibility rules; and

"Whereas an Ontario worker has to work more weeks to qualify and receives fewer weeks of benefits than other Canadian unemployed workers; and

"Whereas the average Ontario unemployed worker gets \$4,000 less in EI benefits than unemployed workers in other provinces and thus not qualifying for many retraining programs;

"We, the undersigned, therefore petition the Legislative Assembly of Ontario to press the federal government to reform the employment insurance program and

to end the discrimination and unfairness towards Ontario's unemployed workers."

Since I agree with this petition 100%, I'm delighted to send it to you.

**The Speaker (Hon. Steve Peters):** The time for petitions has expired. This House stands recessed until 3 o'clock this afternoon.

*The House recessed from 1202 to 1500.*

## MEMBERS' STATEMENTS

### FROST CENTRE INSTITUTE

**Ms. Laurie Scott:** I'm pleased to rise this afternoon and recognize the inspiration behind a treasure in Haliburton Highlands, the Frost Centre Institute. When the Liberal government and Dalton McGuinty quietly closed the doors to the Frost centre in 2004, a tireless and unwavering effort came forward by thousands of people who understood how important this historic facility is to our community.

Mr. Alan Aubry, along with his wife, Wendy, came out of retirement by making a personal, financial and emotional commitment to reopen the centre as the Frost Centre Institute in the spring of 2007. Last June, I was thrilled to join Al and Wendy Aubry and a number of other representatives to celebrate the reopening of the centre and to celebrate its tradition of excellence in environmental education.

Since that time, what we have seen in Haliburton Highlands, along Lake St. Nora, is the Frost Centre Institute, under Mr. Aubry's leadership, grow into a captivating environmental experience in life and learning. It offers environmental education programs, a summer camp for young people, a water sports program, a visionary arts program, counsellor training programs, and English as a second language.

Just last week, the Frost Centre Institute was one of the many impressive stops that welcomed the review committee in support of the bid for the 2010 Ontario Summer Games in Haliburton.

We are lucky to have the Frost Centre Institute as one of many attractions in Haliburton. Thanks to Al and Wendy Aubry's dedication and self-sacrifice, not only is that vision a reality; it is an internationally recognized environmental school, and it is reinvigorated. It is a treasure in Ontario, and the Frost Centre Institute truly does have a great future.

### GARY OSTLER

**Mr. Jim Brownell:** Occasionally, a community is touched by the presence of an extraordinary individual who serves to support and strengthen its citizens. Father Gary Ostler, who passed away on May 29 at the age of 52 years, was such a person.

A priest at St. Columban's parish in Cornwall, Father Gary was a pillar of the community in my riding of

Stormont-Dundas-South Glengarry. A man of great faith, he had a passion for scripture and an unmatched ability to bring it to life for his parishioners.

Beyond his parish, he believed that it was the church's responsibility and privilege to serve the community as a whole. For example, just a month before his death, Father Gary led a memorial service for the Battle of the Atlantic merchant marine servicemen.

While his parish and community were half of his life, the other half was the Canadian Armed Forces. Father Gary, having risen to the rank of major, touched the lives of many of our men and women in uniform, having served as a Canadian Armed Forces chaplain. To quote Master Warrant Officer Jim Devine of the Stormont, Dundas and Glengarry Highlanders, "He was the psychologist, the social worker, the psychiatrist, the marriage counsellor." He also said, "I judge all other padres by how I know Gary."

Father Gary also was a true humanitarian. We saw that in the community, and we saw it throughout Ontario and Canada. He embodied the highest qualities of good citizenship. He will be sorely missed by all those whose lives he touched in my community through his great work.

### DALTON MCGUINITY AND DAVID MCGUINITY

**Mr. Peter Shurman:** This is the story of Dalton and David, two brothers from Ottawa who grew up side by side. They were inseparable. They liked the same girls; they liked the same music; they liked the same cars. Ask each of them which is the best party in Canada and they would tell you, "The Liberal Party." Ask each of them which party was best suited to govern Ontario and they would tell you again, "The Liberal Party."

But something strange happened to the brothers McGuinty one fateful day: Dalton came home to lead the Ontario Liberal gang, the Dalton gang, and David stayed behind and joined the federal Liberal gang. The Ontario Liberals insisted theirs was the best way to combat climate change. The federal Liberals disagreed. "No, it's ours," they cried.

It is here that Dalton's and David's paths diverged. Dalton's Ontario Liberal gang pushes for cap and trade, David's gang for a carbon tax. Cap and trade and a carbon tax—completely incompatible, completely juxtaposed. All was not well at the McGuinty dinner table.

Ah, but no cause for despair. Dalton and David still agree on one thing: Ontarians should pay more.

### NIAGARA PARKS COMMISSION

**Mr. Peter Kormos:** The stated mission of the Niagara Parks Commission is to preserve and enhance the natural beauty of the falls and the Niagara River corridor. You folks who don't know about it, it's the jewel in the crown of Ontario, that Niagara Parkway, and the parklands on the west side of the Niagara River.



Well, under the McGuinty government and his hand-picked appointees to the commission, that valuable natural resource is being desecrated. I tell you, that's a crime to generations of Ontarians to come. McGuinty and the Liberals are hell bent on commercializing, privatizing and Disneyfying that valuable natural resource. They may find it cute that their private partners are going to make huge profits on the asphaltting and the paving over of Niagara parkland, but we down in Niagara think otherwise.

The most recent victim, of course, is Miller's Creek Marina, which was privatized last year. Now, the developer, Warren DAC, wants to build a condo complex and shopping sites on Niagara parkland.

The McGuinty government should be protecting this scarce and valuable natural resource. It talks a big game about tourism, but then slams the door in the face of people who want to be stewards of beautiful attractions like Niagara Parks. I call upon this government to immediately rein in its commission.

### CONCESSION STREETFEST

**Ms. Sophia Aggelonitis:** Concession Street on Hamilton Mountain is home to some wonderful shops and restaurants. It is also home to one of my favourite events.

This past Saturday, I joined over 20,000 other Hamiltonians on the mountain to help celebrate the 15th annual Concession Streetfest. Even the sweltering heat on Saturday couldn't stop everyone from having a wonderful afternoon. There was definitely something for everyone, from Peruvian flutists, face painting and a petting zoo, not to mention the local business owners showcasing their merchandise for all to see.

My community spirit and pride was in full force on Saturday, and their hard work definitely paid off: Concession Streetfest was a huge success. I'd like to personally thank the Concession Street BIA for their hard work and passion in making our BIA one of the best. I would like to thank Debbie Johnson, Betty Toplack, Paul Wharton, Doris Sanchez, Lorne Lozinski and John Woolcott, not to mention the many volunteers who helped make this year's streetfest such a success.

### CLEAN WATER ACT

**Mr. Randy Hillier:** Although this government hides under a green blanket, their real agenda is clear: a total disregard for democracy and property rights.

We all know that if you're a union, a carmaker, a cricket club or a left-wing environmental group, the Liberal trough flows steady. Everybody else is on the firing line.

Earlier this year, source water committees included compensation for landowners victimized by the Clean Water Act. But in a memo dated May 14, the MOE said no to compensation. This exposes the true Liberal environment: a maze led by Toronto bureaucrats who don't give a damn about rural residents.

While the McGuinty greenbelt launders \$600,000 to Environmental Defence, \$200,000 to Ontario Nature, and \$32,000 for the world's largest multicultural salad, they take rural landowners to the cleaners. It is unjust to ask the little guy to bear the cost imposed by society at large.

Clearly, the minister fears that being honest and forthright will damage his status in cabinet. But he must do the right thing, not the easy thing, and compensate those harmed by the Clean Water Act.

### EVENTS IN AJAX-PICKERING

**Mr. Joe Dickson:** The Pickering and Ajax Rotary Club Ribfest at the Pickering civic centre hosted the largest-ever public event in the history of Pickering or Ajax. Some 30,000 residents enjoyed the ribs, music, hospitality and carnival, which was chaired by Lon Harnish. The profits from this event go back into our two communities, including Ajax Rotary's ongoing contributions to their \$100,000 new Ajax library pledge.

The 38th annual Home Week also kicked off this past weekend, featuring the Home Week parade, the village jazz festival, the DuPont antique car show, Ajax Lions pasta night, and the 100-day bicycle ride from Scrambles restaurant by Dee Miller on behalf of Renewed Strength cancer survivors. Health Promotion Minister Margaret Best and myself were there at 7 a.m. to wish Dee well on her journey.

### 1510

Sunday is the biggest day of the year, and we'll see over 10,000 visit the Ajax waterfront for the Rotary pancake breakfast between 8 a.m. and 11 a.m. The waterfront festival, under Wilma Graham, will also feature over a dozen venues for people of all ages. This is the largest finale in Durham's history. It will feature choreographed music fireworks valued at \$13,000.

We'd like to thank all of the volunteers; the chair, Peter Hudson; all of the service organizations; Kinsmen, Legion, Lions, Optimist and Rotary; and of course our Ajax mayor and Ajax council.

### EVENTS IN WESTON

**Mrs. Laura Albanese:** This past weekend I had the pleasure of attending the official annual opening of the Weston Farmers' Market. This local tradition signals to all residents of York South-Weston that the summer season is here, and that every weekend they can purchase some good local food and enjoy great entertainment.

It's also a great opportunity for Ontario food producers to showcase and sell locally grown, fresh, high-quality food. This is very significant, because in many cases the foods we eat every day must be transported from thousands of miles away, which has a significant impact on our environment due to transportation emissions. We can all make an effort to enjoy Ontario freshness.

That same morning, less than a block away from the market, I had the opportunity to help unveil a new landmark in the heart of the old village of Weston. A

beautifully crafted clock tower was built in the parkette along the intersection of Lawrence Avenue West and Weston Road. Local councillor Frances Nunziata, the Weston BIA and the local historical society have worked tirelessly for the past three years to bring the project to completion. The clock, designed by architect Michael Presutti, bears an inscription indicating that the village of Weston was established in 1796.

I highlight these events today because I think they are an example of how we can incorporate aspects of traditional lifestyles into our contemporary lives today. We should remember that we can come together and work towards a brighter future without ever forgetting the past.

### LOCAL GOVERNMENT WEEK

**Mrs. Linda Jeffrey:** I rise today to talk about a great new initiative that will give Ontario's children and youth real-life lessons in responsible citizenship. The very first Local Government Week will be held later this year from October 19 to 25. The week will connect grade 5 and 10 students to the community through activities such as mock elections and council meetings. For our teachers, this is a new opportunity to bring local civics into the classroom. As an MPP and former councillor, I know how important it is to have an engaged community.

The launch of local government week is the result of hard work and support of many organizations and groups. The Association of Municipal Managers, Clerks and Treasurers of Ontario and the Association of Municipalities of Ontario are very committed to this initiative. Through their collective efforts, schools and municipalities around the province will receive resource kits with suggestions on activities on how to make Local Government Week meaningful.

We want the youth of Ontario to learn about the importance of local government and realize that they, too, one day can become leaders in their own communities. I urge all members, many of whom have served at the municipal level as I did, to support this initiative in their communities this fall.

### INTRODUCTION OF BILLS

#### MINISTRY OF GOVERNMENT SERVICES AMENDMENT ACT (CANADIAN MANUFACTURING AND ASSEMBLY OF GOVERNMENT VEHICLES), 2008

#### LOI DE 2008 MODIFIANT LA LOI SUR LE MINISTÈRE DES SERVICES GOUVERNEMENTAUX (FABRICATION ET MONTAGE DE VÉHICULES GOUVERNEMENTAUX AU CANADA)

Mr. Ouellette moved first reading of the following bill:

Bill 92, An Act to amend the Ministry of Government Services Act to regulate the acquisition of government vehicles / Projet de loi 92, Loi modifiant la Loi sur le ministère des Services gouvernementaux afin de réglementer l'acquisition de véhicules gouvernementaux.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Mr. Jerry J. Ouellette:** This is the third in the series of auto sector bills that we've been working on—this one, in particular, for eight months. There's another one yet to come. This bill formalizes the unwritten procurement policy and adds a new dimension of having all government employees, when on provincial or government of Ontario business, who are utilizing a vehicle that is leased or rented go through a procedure which requires that Ontario-made or Canadian-made vehicles be prioritized and used first.

#### EUGERRY INVESTMENTS LIMITED ACT, 2008

Ms. Horwath moved first reading of the following bill:

Bill Pr11, An Act to revive Eugerry Investments Limited.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** Pursuant to standing order 85, this bill stands referred to the Standing Committee on Regulations and Private Bills.

#### OMBUDSMAN AMENDMENT ACT (CHILDREN'S AID SOCIETIES), 2008

#### LOI DE 2008 MODIFIANT LA LOI SUR L'OMBUDSMAN (SOCIÉTÉS D'AIDE À L'ENFANCE)

Ms. Horwath moved first reading of the following bill:

Bill 93, An Act to amend the Ombudsman Act with respect to children's aid societies / Projet de loi 93, Loi modifiant la Loi sur l'ombudsman en ce qui a trait aux sociétés d'aide à l'enfance.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Ms. Andrea Horwath:** The bill amends the Ombudsman Act to allow the Ombudsman to investigate any decision or recommendation made or any act done or omitted in the course of the administration of a children's aid society.



## MOTIONS

### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon. Michael Gravelle:** I seek unanimous consent to put forward a motion without notice regarding private members' public business.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Hon. Michael Gravelle:** I move that, notwithstanding standing order 97(g), the requirement for notice be waived with respect to ballot item 37.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Agreed to.*

### APPOINTMENT OF PROVINCIAL ADVOCATE OF CHILDREN AND YOUTH

**Hon. Michael Gravelle:** I move that an humble address be presented to the Lieutenant Governor in Council as follows:

"To the Lieutenant Governor in Council"—

**The Speaker (Hon. Steve Peters):** You need consent.

**Hon. Michael Gravelle:** Sorry. May I ask for consent, please, to present this?

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Hon. Michael Gravelle:** "To the Lieutenant Governor in Council:

"We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the appointment of Irwin Elman as the Provincial Advocate for Children and Youth, as provided in section 3 of the Provincial Advocate for Children and Youth Act, 2007, to hold office under the terms and conditions of the said act,

"And that the address be engrossed and presented to the Honourable the Lieutenant Governor in Council by the Speaker."

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Agreed to.*

**The Speaker (Hon. Steve Peters):** I'd like to congratulate Mr. Elman and I'd like to take this opportunity to thank the members of the selection committee, who worked so hard in the process: Lisa MacLeod, Andrea Horwath, Wayne Arthurs, Nancy Marling from the Legislative Assembly, and as well to say thank you to the outgoing acting child advocate, Agnes Samler. To everyone involved in the process, thank you very much.

1520

**Mrs. Julia Munro:** Mr. Speaker, on a point of order: I'd just like to ask all members to help me welcome the students from Deer Park school in Keswick and their teacher.

**The Speaker (Hon. Steve Peters):** That was not a point of order. We do welcome the students here. I remind everyone that if they have issues regarding the introduction of members when they're supposed to be

introduced, to take them to their House leader so they can be discussed at the House leaders' meeting or perhaps this summer when the legislative committee meets to review the standing order changes.

## ORDERS OF THE DAY

### SELECT COMMITTEE ON ELECTIONS

Resuming the debate adjourned on June 4, 2008, on the motion for the appointment of a Select Committee on Elections.

**The Speaker (Hon. Steve Peters):** Further debate?

**Mr. Gilles Bisson:** As I was saying before I was so rudely interrupted by the adjournment of the House—I always wanted to use that line but I wanted to use it in a different context, which, thank God, never happened. Somebody caught on to that.

**Interjection:** That was Dave Warner.

**Mr. Gilles Bisson:** Exactly, David Warner. There's a little story that he had been in this place, then he had gone by way of an election, and then came back. His first speech when he came back was, "As I was saying before I was so rudely interrupted"—

**Ms. Andrea Horwath:** "By an election that I lost."

**Mr. Gilles Bisson:** "By an election that I lost." I always thought it was a funny line. Anyway, I digress.

We were speaking earlier to the motion of creating a committee that will look at the Election Act for the next provincial election. A number of members have put forward some pretty good suggestions as to some of the things that I think this committee should look to. I want to review them very quickly so that it's fresh in everybody's mind and that we're able to remember what some of the issues are and what it is we need to do.

Number one: enumeration. The list we are using to identify voters in the province of Ontario is abysmal. In most communities, you're lucky if 60% to 70% of that list is accurate. If you live in areas where there are rural routes and people have post office boxes instead of a physical address, it is even worse. It's really only by way of driver's licence information or other information or interaction that the person has with the government that they actually end up on the list.

I know that the electoral officer, John Hollins, says, "Oh yes, we do actual enumerations in some polls where we know we've got problems," but even then it's not done well. I add, as do other members in this assembly, that there were all kinds of problems in the last election, where people wanted to exercise their democratic franchise to vote and actually didn't get a chance because once they went to the voting station, it turned out they weren't on the voters list. Oh yes, they can work that out once they're inside the polling station, they can speak to the DRO and have that fixed up, but most people, because of the lineup, just said, "To heck with it, I'm out of here."



For all the candidates who ran in the last election—myself as the New Democratic incumbent, and the Liberal, Conservative and Green Party members—we had people who showed up to vote who didn't get to vote because they were not on the voters list.

We need proper enumeration, and I think the way you do that is the old standby that worked for many years before we invented computers, and that is, somebody goes to the door and knocks and says, "Who lives here?" It would be such a simple thing to do. Yes, it costs money, yes, it means that we have to spend a little bit more than we do now, but that's the cost of democracy. It's far better to spend money on enumeration than to have people have their right to vote taken away because they're not on the voters list.

**Ms. Andrea Horwath:** Totally disenfranchised.

**Mr. Gilles Bisson:** Totally disenfranchised.

The other issue is the issue of First Nations. I want to point something out to you. October is hunting season in northern Ontario generally, but for First Nations, it is a sustenance, it is the way you get meat for the winter and the fall—by shooting goose, caribou and moose, and fishing, whatever it might be. Communities shut down entirely for a week or two or three, depending on the community, so that people can go back to the land and do the hunting they need to do in order to give them the food they need for the fall and winter months.

Election day, being October 10, falls right in the middle of the hunting season, so what you end up with is entire communities where about half of the people are not there on election day. Guess what? We don't have advance polls in First Nation communities. So if you want to be able to vote and you want to exercise again your democratic franchise, you don't have an advance poll. I guess some people in Toronto would say, "Well, just drive to the next community." Excuse me, but where I come from they can't drive because there are no roads. They're landlocked communities. You've got to get on a plane and fly out. There's 90% unemployment. The ticket from Peawanuck to get to Moosonee, where the advance poll is, is over 1,000 bucks return. If you've got six, seven or 10 people in the family who are of voting age, how can you even afford this? So let's do something really novel. Imagine that, having advance polls in aboriginal communities like Attawapiskat, Fort Albany and Big Trout Lake. Would it be so difficult to make that happen? Why don't we do that?

Last election, I had this fight with our returning officer in the Timmins-James Bay riding, and I brought it to the Chief Electoral Officer, and they were not able to fix it. As a result, the turnout in the last election on the James Bay was less than what we've had in previous elections, because the election fell smack dab in the middle of the aboriginal hunting season. Number two, we did not have advance polls. So we need to be able to have advance polls in those communities so people can vote.

We also need to look at, as far as I'm concerned, another issue that is really troubling, and that is where the polling stations are going to be. We had polling stations that were not accessible to people with handicaps.

**Ms. Andrea Horwath:** Disabilities.

**Mr. Gilles Bisson:** Disabilities. Thank you very much.

I happened to hurt my knee badly playing hockey and I have to use a cane over the next couple of weeks to try to get that back, but there were people who couldn't access their polling station because it wasn't accessible. That is totally unacceptable in a society like Ontario today, in the last election in 2007, and certainly shouldn't be acceptable in the next election. We need to ensure that those polling stations are accessible to all citizens who wish to vote. So we need to have polling stations that are not only accessible but that can be found, which is my next point.

Some of the polling stations that we had were moved from where they had been in previous elections. For example, in the municipality of Hearst, everybody knows that on election day—federal election, municipal election, provincial election—we all go to the same place, les Chevaliers de Colomb, the Knights of Columbus hall, and all the polling stations are there. In the wisdom of those who organized the election the last time around, they moved the polling stations out of there and went and put them in local schools. This created a really interesting situation. Most people don't know that the polling station has been changed, so they walked or they took their cars and drove to the polling station that they had been used to voting in for many years. It wasn't there. So some of them actually didn't go and vote because they said, "To heck with it. I can't be bothered. This is a pain." Some who managed to find out where the polling station was, at the school, showed up there about 8:30 in the morning or whatever time it was to show up and do the vote. When they got there, the buses were all lining up to drop the kids off, the parents were coming in to drop their kids off or pick them up at the end of the school day. It created a confusion of traffic in front of the school like you haven't seen before.

**Ms. Andrea Horwath:** Dangerous for the kids.

**Mr. Gilles Bisson:** That's my point. My colleague the member from Hamilton Centre says, "Dangerous for the kids." Right on.

You had all of this traffic coming through, in and out of the school area, in order to have people go and vote. You had buses. You had kids running around. Something could have happened. I'm not saying that we should never use schools, because actually there are some schools that lend themselves to being good polling stations. But we need to take a look at the area where the voting is going to happen and where people are going to park and how they're going to get in and out. We don't want people interfering with the regular process within the school and kids being put at risk.

The other point I want to raise very quickly is, we also need to be careful from the security side. You have had people in the polling stations, and I've heard this from different elections, where people going in to vote got lost in the school and ended up walking in the hallways. That may not be a good thing for reasons—people can draw



their own conclusions. I think we have to be a little bit more careful around that particular issue.

1530

The other issue we need to take a look at—the other thing that drove me crazy, and I’m running out of time; I’m not going to have enough time—is that when people were badly enumerated and we had awful polls, we had people voting across town or cross-city or from municipality to municipality.

I’ll give you a little example. I had people who lived in Kapuskasing who had to drive to Moonbeam to go and vote. That’s a municipality a 20-minute drive outside of Kapuskasing. I had other people in Moonbeam who were registered to vote in Smooth Rock Falls, which is almost an hour down Highway 11. Obviously there were a lot of people who did not vote because, they said, “I’ve always voted in Moonbeam all my life, and I’m not about to get in my car and drive to Smooth Rock Falls to vote.”

For God’s sake, please let’s get ourselves together and make sure that people are put on the voter’s list at a polling station that is convenient for them to vote within their own community and their neighbourhood. But in the event that there is an error, we need a system so that the person is able to vote in a polling station, period.

For example, let’s say I’m working in Kapuskasing that day but I live in Timmins, and I’m still in the riding of Timmins–James Bay. That person may have forgotten or not had a chance to go to an advance poll vote. You should have the ability to walk into a polling station, prove your identity, have yourself added to the list and basically vote. That stuff is all cross-referenced at the end.

It was interesting: I met with the Chief Electoral Officer, John Hollins, after the election, and he told me there is very little voter fraud when it comes to people adding themselves to the list.

There are only 20 seconds left. I just say to this committee that there’s this and many other issues that we need to take a look at when reviewing the Electoral Act. We need to take this job seriously and hope it is not a partisan issue, or a partisan thing, that the government is doing in order to help themselves in our next election tryout. We need to have an election act that works for the public and all those people involved.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? Does any other member wish to speak? The member for—

**Mr. Robert W. Runciman:** Leeds–Grenville. Thank you very much, Speaker. Sorry, I was in conversation under the gallery.

I appreciate the opportunity to very briefly speak to this. Our party, the Progressive Conservative Party, the official opposition, is supporting the motion. I will be also sharing my time with Mr. Yakabuski, the member for Renfrew–Nipissing–Pembroke.

I did want to take this opportunity to express a few concerns that I think are appropriate for review by the select committee. The major concern we’ve been raising in this Legislature for the past two weeks is the involve-

ment of a group called Working Families in the last two provincial elections and how that falls within the purview of the election expenses act itself, and whether indeed there have been violations with respect to the third party, in this case Working Families, coordinating its activities with those of a registered political party, in this instance the Liberal Party of Ontario. We have serious concerns about that. We’ve raised issues related to that, and a series of what some might describe as coincidences, but we believe they may be much more than that and merit investigation.

I mentioned in this House on a couple of occasions an article that was in the June 15, 2007, edition of the *Toronto Star*, written by the former Queen’s Park correspondent for the *Star*, Ian Urquhart. That article appeared, as I said, June 15, and he was indicating that, looking ahead with a fixed election date, we knew the election was going to be in October and that Working Families was looking at re-forming in preparation for that election, and a decision on when to proceed would be made the following week.

The following week—to be precise, on June 18—purely by accident we, through a Freedom of Information request, discovered that the principals and those involved in the organization, Working Families, had met with the Minister of Finance at the time, Mr. Sorbara, who also served as chairman of the Liberal Party election campaign. We subsequently attempted to secure the minutes or an agenda from that meeting and were told that none existed, that there were no minutes of that meeting. No one had any knowledge of what transpired in that meeting.

So I think that if you look at Mr. Urquhart’s column, the meeting happening and then, I think very shortly thereafter, one of the participants in that meeting contributed \$150,000 to Working Families; there’s a whole series of issues. This goes back, obviously, to 2003 and the relationship of third parties.

I know the province of Alberta has recently talked about bringing in legislation to ban third party advertising during writ periods. Apparently, some of the people involved in Working Families in Ontario also participated in the recent provincial election in the province of Alberta in an attempt to defeat the Progressive Conservative Party in that province, unsuccessfully.

Also, there’s an organization called Working Families in the great country of Australia. Again, these are unions, primarily made up of private and public sector unions, who spent more than all of the registered political parties in the federal election in Australia. So this is not just an Ontario phenomenon. It’s happening now across Canada, in Australia and in who knows how many other jurisdictions.

It should be troubling to anyone who cares about free and democratic elections. We should be concerned with respect to the select committee’s review of the election expenses act and what they will be considering as part of that review. I think this is a very important issue for the select committee to consider during their deliberations.



I have to point out that almost a year ago now we wrote Mr. Hollins, who was the election expenses commissioner, expressing our concerns and providing him with a very detailed letter with our concerns related to whether the act had been violated and whether Working Families, in coordination with the Liberal Party of Ontario, had collaborated. If they had done such, that activity would be subject to all the controls, contribution limits and spending limits that govern registered parties. If you look just at 2003, that would have meant that the Liberal Party was significantly in violation of the spending limits under the act.

We wrote that letter and followed it up with another letter a few weeks ago to Mr. Hollins, expressing serious concern about their failure to respond to that letter. Mr. Hollins is leaving in two or three more weeks. He is, in his position, an officer of the assembly. In that role he's responsible to all members of this place—to all members of this place. I don't like to be critical of the gentleman, as his days wind down in office, but we believe he has a moral responsibility to respond prior to departure and not leave this on the doorstep of his successor, whoever that may be. It's a very serious issue.

I'm certainly encouraging our representative, who I believe will be Mr. Sterling, the member for Carleton-Mississippi Mills, who is a dean of this place and certainly very knowledgeable with respect to all pieces of legislation the select committee will be reviewing—I'm certainly urging him to take a very proactive role in looking at this whole issue of third parties and ensuring that whoever succeeds Mr. Hollins will deal with this in an effective way, and that all Ontarians can feel comfortable as we go forward that the election laws of this province are not being subverted in any way, shape or form.

1540

**Mr. John Yakabuski:** My colleague from Leeds-Grenville, the Leader of the Opposition, left me ample time to make the points that I have to make. In fact, I've got 20 minutes now, according to this. I don't think I'm going to need all of that, but I did want to make some comments.

I'm actually pleased that there is some kind of an action on the part of this legislative body. If this select committee is going to be empowered to do what I'm talking about today, I'm going to be even more pleased.

I wanted to talk about the 2007 election. When the government tabled Bill 214, which was the Election Statute Law Amendment Act, 2005, by the then minister for democratic renewal or whatever it was—the Honourable Marie Bountrogianni—one of the premises behind this piece of legislation was to improve the workings of elections and thereby encourage more people to get out and vote. In the 2007 election, after we approved this legislation, we went to the lowest voter turnout in the history of this province. Part of the reason was some of the things that they did in this legislation and how it made it so difficult for people to get out and vote.

**Mr. Jeff Leal:** Big turnout in Barry's Bay.

**Mr. John Yakabuski:** No, it wasn't a big turnout in Barry's Bay. I'm just responding to the member for Peterborough. He likes to talk whenever I'm talking. He makes a point of coming in here. I don't think they're giving him enough speaking time.

The percentage in my riding in 2003 was 64%. In 2007, 59% was the voter turnout in my riding—still high relative to the rest of the province, but much lower than it had been in 2003. Part of the reason was some of the changes and some of the enforcement that was done as a result of Bill 214.

Let me talk about this silly notion about the rules that apply in Toronto, where nobody seems to know each other. I live on a floor in an apartment building, and some of the people on that floor I've never even met, but in Barry's Bay, Renfrew, Pembroke, Arnprior or Brockville they know one another.

We had situations in the last election where somebody would go in to vote, and they would be in a room full of people where everyone knew each other, and these would be senior citizens who are intimidated, to say the least, when somebody says, "Where's your photo ID?" "Oh, but you know me." "Where's your photo ID?" That was the kind of thing that was going on at this last election. We'd have senior citizens come in. They almost wanted to turn around; in fact, some people did turn around, and they failed to exercise their franchise. So what did we accomplish in this bill?

We also had other people who went through the process but felt absolutely insulted by it. I had people come up to me after the election and say to me, "John, I voted for you in the last election, but I won't be voting for you again"—and, before those Liberals over there get themselves encouraged, I just want to finish the job here—"because I won't be voting for anybody," is what they said, "because I've exercised my last vote in an Ontario provincial election because of the way you treat people," because of the way you insult them when they walk into a polling place and they have to identify themselves with a picture ID when everybody in that room, every DRO, every poll clerk—sometimes three times they have to—

**Mr. Robert W. Runciman:** Give your name three times.

**Mr. John Yakabuski:** —give your name three times, your address, recite it. I went through it myself. I had no problem with it, but I'm going to tell you: People like my mother-in-law, Elma Smith, from Eganville—who turned 75 today, by the way. Happy birthday, Elma. My wife will give me the gears for doing this, but—

**Mr. Jeff Leal:** She used to support Conway, didn't she?

**Mr. John Yakabuski:** I don't know—no; not likely.

Look: You tell that member from Peterborough that he's going to get his turn.

*Interjection.*

**Mr. John Yakabuski:** I didn't see it.

Anyway, she feels intimidated by that. My mother-in-law was born in Germany. She certainly never went to school in this country. I'm not sure what schooling she



would have had in Germany, but she was a war refugee, basically. She never drove a car in her life either, by the way, so she doesn't have a driver's licence picture ID. She had a hard time finding the necessary pieces of identification to go to vote because her citizenship papers were burned when they lost their home in 1975. So there are all kinds of different things surrounding that, but you have to go through that same rigmarole, answer all those intimidating questions. I heard this time and time again from people, and it's all because of voting irregularities in the cities, where people were voting twice, they were voting fraudulently. So now we bring in a system that says everybody is going to have to go through this kind of repetitive process.

I see some Liberal members nodding because the same things went on in their ridings. This is not just about Renfrew–Nipissing–Pembroke. This is for the good of all of the province of Ontario. When you make changes and they turn out to be worse than what you had before—and the best arbitrator of that is the voter turnout. When we go to the lowest voter turnout in the history of this province, it should tell you that something is wrong. I spoke to Mr. Hollins about this after the election, and he agreed: The numbers that we showed were disgraceful.

The fact that we had this referendum and everything else—you would have thought that maybe there might be a higher voter turnout because there might be some people who are more interested in voting because there was a referendum on the ballot that they may be interested in, whether they'd be for the referendum or opposed to the referendum, but it may give them more incentive to vote. But in spite of that, fewer people than ever—not fewer people in numbers, but a lower percentage of people voted in the past provincial election than ever in the history of the province of Ontario.

So you have to ask yourself, "Did we do the right thing?" The answer has to be no. I'm not saying that everything about Bill 214 was wrong or was bad, but clearly, in the final analysis, what it accomplished was more bad than it was good, to put it bluntly. "Bad" and "good" is a pretty stark way of saying it, I suppose, but for the sake of argument, we'll just say it that way.

There has to be something done between now and the next provincial election, because it should be the responsibility and the desire of this chamber to ensure that every person who has the right to vote in the province of Ontario is given every opportunity to do just that. We should not erect obstacles in their way that in fact discourage them from voting.

There's no question about it: We don't want people voting fraudulently, and we don't want people who don't have the right to vote going in and casting a ballot. We don't want any of those kinds of election irregularities. We want the elections to be clean, we want them to be honest and we want them to be fair. But at the same time, we have to find that balance so that each and every person who has the right to vote in this province or any other province, any jurisdiction—the mantra, the desire and what our goal should be is that we see voter turnouts

increase continuously in this province, because the best way of ensuring that you have elected the government that is the choice of the people is by having the highest voter turnout; then the most people who can exercise their franchise have indeed done that, exercised their franchise. So the government of the day can at least say they have the support of X number of people. If you extrapolate it, and I haven't done the math, I think the government got about 42% or 43% of the vote in the last provincial election—42-point-something. But if it's 42-point-something of 51, how many people actually voted for the government, or, in my case, how many people actually voted for me?

**Hon. Ted McMeekin:** This isn't a new problem.

**Mr. John Yakabuski:** Well, I didn't say it was a new problem—I'm looking at the minister of consumer and business services, or something like that; I got it pretty close there. I'm not even going to try the riding. It's tougher: Ancaster something or other. You know what I mean.

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**Ms. Cheri DiNovo:** Plus they changed the name.

**Mr. John Yakabuski:** It changed from the last time.

He says it's not a new problem. I'm not saying it's a new problem, but maybe it's time for a new solution so we don't see the 50% or 51% voter turnout in the last election go down to 49%, 47% or 46%.

**Hon. Ted McMeekin:** Do you want to do what they do in Australia?

**Mr. John Yakabuski:** The minister is asking me a question. It's not question period, but I'm going to answer the question anyway. They're not used to questions being asked and answered, but I'm going to try.

No, I don't think we should do what they do in Australia. I don't think we should make it compulsory to go out and vote. It should be voluntary, but we should do everything we can to encourage people to vote and not erect obstacles in their way, which is exactly what happened in the last provincial election.

I can't emphasize strongly enough that it should be part of this committee's mandate to ensure that when we go into the election period in 2011, we've done everything we possibly can do to ensure that each and every person who has the right to vote in this province is encouraged to do so and, in fact, may do so.

**Ms. Cheri DiNovo:** It's a pleasure to follow the member from Renfrew–Nipissing–Pembroke, and I'm going to pick up where he left off. I don't think Toronto is a cold and distant place. We have many neighbourhoods and communities where many people know each other quite well. But I do agree that there was a very onerous requirement with photo identification, and I want to speak in part about why that's an onerous requirement for those who live marginalized lifestyles.

We have many people in south Parkdale who live rough, as it's called, who move from room to room, who sometimes are homeless due, in part, to the economic policies of the members opposite. Then, when it comes time to exercise their franchise, another hurdle is thrown



their way. People who are thrown hurdles every hour of their existence are thrown yet another hurdle, and the hurdle is photo identification. As the member pointed out, that's often difficult if you don't have a driver's licence. It's very difficult for people who live rough and are homeless, because the first thing that gets stolen is their identification, and there's a continual treadmill to try to get new identification.

Luckily, we knew in advance, and I want to praise those from Parkdale Activity-Recreation Centre, who worked with their clientele. It's a large drop-in in my community. A lot of people go there to eat every day. They serve thousands every year, and they know their clients. They know them really well; they know them on a first-name basis. They were able to help them get the necessary identification, but, boy, it was a struggle. So that's an issue that really has to be looked at going into the next election.

What I would really like to spend some time on is to ask everybody here to cast their minds back to a by-election—my by-election—that happened in 2005. I won an empty seat. It was vacated by a certain man of mystery, Gerard Kennedy. Does anybody remember him? I don't know what he's doing now. For personal, ambitious reasons, he left the people of Parkdale-High Park to go elsewhere. We—all of us—aren't quite clear where, but he went elsewhere. So the riding opened up, and I ran. It was an interesting and eye-opening experience, first of all, for a woman to run, and second, for a United Church minister to run in a riding where, when the Liberal Party found they were losing in the polls, they unleashed what John McGrath called one of the worst smear campaigns ever.

My suggestion for this particular committee is that people look at the ethics of how they campaign. I have to say that I hope things improve, but I suspect that they haven't, because I already see cyber-bullying, for example, on behalf of those across the way. Of course, the same people will stand up very self-righteously and talk about how cyber-bullying is a very bad thing in our schools and for our children, and then engage in the practice themselves against members of the opposition on YouTube.

Why don't we look at the ethics of campaigning? That would be something this committee could look at. In my case, I was stunned, I was outraged to see cabinet ministers at the subways handing out smear campaign material that attacked my integrity as a United Church minister, my standing in my community, my congregation, through me, and my family. That kind of campaigning should be looked at. It is absolutely unacceptable, and they're at it again. Presumably, this is a new move, or certainly a move towards the ugly, seamy side of American politics—not to single out our brothers and sisters to the south; I'm sure it's done around the world, but it was new to me. I was outraged. I had no idea that a political party could sink so low, but they did. So if there's anything that this committee needs to look at, it's the ethics of the way in which political parties campaign; certainly I would point that out.

Second of all, of course what's really important is the way that campaigns are financed. I hold up here some examples of places that do that way better. Federally, each party receives 50% of expenses incurred. If it obtains 2% of valid votes overall or 5% of valid votes, that's better. In Quebec, it's better. If a party receives 1% of votes, the party receives 50% of incurred expenses, to a maximum of 60 cents per elector. Manitoba and Saskatchewan similarly—I could go into those, but suffice to say they're not allowed to take donations from corporations or unions.

There was a very interesting article by Murray Campbell in the *Globe and Mail* some months back. He described the experience of going to a Liberal fundraiser and then to a Progressive Conservative fundraiser. Interestingly enough, he discovered the same corporations sitting there, the same corporations hedging their bets, donating to both parties. For example, asked why he attended a \$10,000-a-plate Liberal fundraiser, developer Silvio DeGasperis said bluntly, "I wanted to speak to Dalton about my [development] issue in Pickering. I knew the reason I was there." That certainly has to stop.

We, in the New Democratic Party, have long called for an end to union donations, corporation donations. This needs to stop. Even Allan Taylor, a former CEO of the Royal Bank of Canada, said, "Financially effective as it may be, the current system of corporate fundraising doesn't help with [the] broader purpose [of] continuing the democratization of our politics." This committee should not only look at the ethics of the way in which campaigns are run, it should also look at the way campaigns are financed.

Another aspect of elections that it should look at is the way our votes are cast and counted. It was quite a travesty the way citizens from this province, who put in hours of their own time, weekends away from their families, to listen to a number of deputants about different systems of voting, had the rug pulled out from them just when they presented their findings, and that of course was the mixed member proportional findings.

Interestingly enough, the bill that was brought in calling for a "yes" vote in at least 60% of all valid referendum ballots cast and a "yes" vote in more than 50% of valid referendum ballots cast in 60% of the ridings—at least 64 electoral districts—was ridiculously high. I mean, this by a government that was elected with 42% of the vote. A government with 42% of the vote demands this of the electorate when looking at the way in which we vote. Along with everything else, it was mixed in with the general election instead of being set apart as a referendum unto itself with the proper explanations given, the proper education offered. It was sad the way that citizens' committee was used and abused. Their findings and their recommendations were treated as if these were the ideas of some crackpot instead of ideas that have led to proportional representation in over 70 countries in the world. Over 70 countries in the world use some form of proportional representation, and yet this idea was not given the light of day, was not given its due merits. Again, I feel sorry for them.



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Here are the points that I'm going to make, and my colleague from Hamilton East-Stoney Creek is going to offer his input as well.

Number one: Let's look at the ethics of campaigning. As we all know in this chamber, the campaign started the day after the last campaign was won or lost, as the case may be. Certainly, if what's happening on YouTube with cyber-bullying of opposition members is any indication, this government's ethics have not improved since the last election. That's number one.

Number two: Let's look at the way campaigns are financed. Let's make that fair. Let's bring that in line with our federal brothers and sisters.

Number three: Let's look at perhaps giving a citizens' group their real shrift in terms of taking their ideas seriously about the very election process we engage in.

I might add a subtle fourth one, and that is simply that once you get here, once you get elected, we should be looking at the change in standing orders. The so-called reason given that it's family-friendly, we all know, is absolutely no reason to change when question period happens. That needs to be looked at too. In fact, for most women in this chamber, certainly for most in the opposition, it has added two hours to our day; it hasn't taken away any time at all or given us any more time to spend with our families. It has actually taken that away.

I'll leave some time for my colleague, but again, we will be watching closely what this committee comes up with. I will be watching, only so that we can encourage women in the future to run and not have to put up with and go through what I went through and put up with: the ethics of the campaigning of the Liberal Party of Ontario.

**Mr. Paul Miller:** I'd like to touch on a few things that haven't been discussed about the election process. One of the things that stood out in my mind during my election was the fact that people were not notified about the changing of polling stations. Some of them were sent to one, two or three different polling stations. By the time they got to the third one, they'd given up and decided not to vote, and they had voted all their lives. That especially is a burden to the elderly population, who find it a struggle to get to the first polling station. I found that very alarming.

Second: questionable identity. I must say that I disagree with the speaker for the official opposition on the fact of identity cards. I believe that those are very important in an urban setting because of identity problems. The opposition person who ran against me from the ruling party—there were even people showing up who weren't Canadian citizens to vote. We caught this on more than one occasion, which I found really upsetting—that someone would pull a stunt like that.

When I went through the process of setting up the election, we were discussing new or future locations of polling stations. I found that people from the three, four or five parties that ran were arguing over location due to a strategic advantage. Some people would prefer to have it at a certain school or a certain church because it was an

advantage to them because it was in walking distance of some of their strong support areas, which I find is unfair and not democratic. That has to be looked at also.

I must commend the returning officer, Ms. Joyce Newman, from my area. She did a wonderful job under duress and under stress for lack of volunteers, lack of training time and a host of other problems that cropped up during the election which she dealt with very professionally. Luckily, in my area I had a person with a lot of experience, so she really handled it quickly and efficiently.

I must say that there are a lot of things that are wrong with the process. This committee being struck is a good thing, but I hope that some of the problems that I faced won't fall on deaf ears as we bring it forward through the discussion period.

The outgoing administrator was faced with these problems for many, many years. He did meet with resistance, whether it was from the governing body or other parties, to leave the system the way it was. A lot of them were happy as long as they were on top, but when things changed, they had a problem with it. So he was doing a balancing act all the way through the system: "Should I change this? Should I not? Is the governing party happy? Is the opposition not?" This went on and on for many years. It's long overdue.

I'd just like to touch on the financial aspect. I agree with my fellow member about making it similar to the federal in having non-union and non-corporate donations. The corporate donations in my area favoured the individual from the governing party in reference to developers and builders. They weren't big on donating to our party for whatever reason, but they seem to have had an upper hand on decisions in our community. I don't think that's fair. I think the system should be based on money given back from the government on your percentage, like the amount per voter.

So there are a lot of disadvantages to the present system that can be rectified in an expedient manner. I believe we should move in that direction quickly and make these elections fair and up front.

Identity has been a big problem in our area for people that are eligible to vote. There were even times when taxis were pulling up in front of polling stations with people who weren't even from our area. Because they were so busy, and the polling clerks were so busy, sometimes they didn't ask for ID; sometimes they'd push through. There were people voting who were deceased.

These are the kinds of games that go on. They've got to be stopped. If we run these elections more fairly, and without the personal attacks that my colleague went through, maybe the results will be a little different. Maybe people will have more of a say on the outcome of the provincial election when not being influenced by big money, intimidation and rumours. I think it's just terrible, some of the things that some parties will do to win.

We all want a fair process. We're all, here, decent people trying to do the right thing. But some of the things the people in this Legislature will do on YouTube and

other things are below their position, below their moral right.

I hope in the future that this is dealt with quickly, with a lot of thought and a lot of compassion behind it. It's been a pretty cold process for too many years, and I want to see it changed.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? Does any other member wish to speak?

Mr. Caplan has moved a motion providing for the appointment of a Select Committee on Elections. Is it the pleasure of the House that the motion carry? Carried.

*Agreed to.*

#### PHOTO CARD ACT, 2008

#### LOI DE 2008 SUR LES CARTES-PHOTO

Resuming the debate adjourned on June 10, 2008, on the motion for second reading of Bill 85, An Act to permit the issuance of photo cards to residents of Ontario and to make complementary amendments to the Highway Traffic Act/ Projet de loi 85, Loi permettant la délivrance de cartes-photo aux résidents de l'Ontario et apportant des modifications complémentaires au Code de la route.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Miller, the member for Hamilton East-Stoney Creek, had the floor at the last debate, when it was brought forward. Do you wish to continue?

**Mr. Paul Miller:** Yes, I did have the floor, Mr. Speaker. No, thank you, I'm happy with the present situation.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? Does any other member wish to speak?

Mr. Bradley has moved government order number 85, second reading of Bill 85, An Act to permit the issuance of photo cards to residents of Ontario and to make complementary amendments to the Highway Traffic Act. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**The Deputy Speaker (Mr. Bruce Crozier):** Shall the bill be ordered for third reading?

**Mr. Michael A. Brown:** I would ask that the bill be referred to the Standing Committee on General Government.

**The Deputy Speaker (Mr. Bruce Crozier):** This bill will be referred to the Standing Committee on General Government.

Orders of the day.

**Hon. Michael Bryant:** I move adjournment of the House.

**The Deputy Speaker (Mr. Bruce Crozier):** Is it the pleasure of the House that the motion carry? Carried.

This House is adjourned until 9 o'clock Thursday morning, June 12.

*The House adjourned at 1610.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Barrett, Toby (PC)	Haldimand–Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (L)</b>	Sudbury	Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels Attorney General / procureur general
<b>Bentley, Hon. / L'hon. Christopher (L)</b>	London West / London-Ouest	
Berardinetti, Lorenzo (L)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (L)</b>	Scarborough–Guildwood	Minister of Health Promotion / ministre de la Promotion de la santé
Bisson, Gilles (ND)	Timmins–James Bay / Timmins–Baie James	
<b>Bradley, Hon. / L'hon. James J. (L)</b>	St. Catharines	Minister of Transportation / ministre des Transports
Broten, Laurel C. (L)	Etobicoke–Lakeshore	
Brown, Michael A. (L)	Algoma–Manitoulin	
Brownell, Jim (L)	Stormont–Dundas–South Glengarry	
<b>Bryant, Hon. / L'hon. Michael (L)</b>	St. Paul's	Minister of Aboriginal Affairs, government House leader / ministre des Affaires autochtones, leader parlementaire du gouvernement Minister of Natural Resources / ministre des Richesses naturelles
<b>Cansfield, Hon. / L'hon. Donna H. (L)</b>	Etobicoke Centre / Etobicoke-Centre	
<b>Caplan, Hon. / L'hon. David (L)</b>	Don Valley East / Don Valley-Est	Minister of Public Infrastructure Renewal / ministre du Renouvellement de l'infrastructure publique
<b>Carroll, Hon. / L'hon. M. Aileen (L)</b>	Barrie	Minister of Culture, minister responsible for seniors / ministre de la Culture, ministre déléguée aux Affaires des personnes âgées Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration
<b>Chan, Hon. / L'hon. Michael (L)</b>	Markham–Unionville	
Chudleigh, Ted (PC)	Halton	
Colle, Mike (L)	Eglinton–Lawrence	
Craitor, Kim (L)	Niagara Falls	
<b>Crozier, Bruce (L)</b>	Essex	Deputy Speaker, Chair of the committee of the whole House / Vice- Président, Président du Comité plénier de l'Assemblée législative
Delaney, Bob (L)	Mississauga–Streetsville	
Dhillon, Vic (L)	Brampton West / Brampton-Ouest	
Dickson, Joe (L)	Ajax–Pickering	
DiNovo, Cheri (ND)	Parkdale–High Park	
<b>Dombrowsky, Hon. / L'hon. Leona (L)</b>	Prince Edward–Hastings	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales Minister of Labour / ministre du Travail
<b>Duguid, Hon. / L'hon. Brad (L)</b>	Scarborough Centre / Scarborough-Centre	
<b>Duncan, Hon. / L'hon. Dwight (L)</b>	Windsor–Tecumseh	Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Flynn, Kevin Daniel (L)	Oakville	
<b>Fonseca, Hon. / L'hon. Peter (L)</b>	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Tourism / ministre du Tourisme
Gélinas, France (ND)	Nickel Belt	
<b>Gerretsen, Hon. / L'hon. John (L)</b>	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / ministre de l'Environnement
<b>Gravelle, Hon. / L'hon. Michael (L)</b>	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Hampton, Howard (ND)	Kenora–Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie (PC)	Oxford	
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
<b>Horwath, Andrea (ND)</b>	Hamilton Centre / Hamilton-Centre	Third Deputy Chair of the committee of the whole House / Troisième Vice-Présidente du Comité plénier de l'Assemblée législative
Hoy, Pat (L)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara-Ouest–Glanbrook	
Jaczek, Helena (L)	Oak Ridges–Markham	
Jeffrey, Linda (L)	Brampton–Springdale	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (ND)	Welland	New Democratic Party House leader / leader parlementaire du Nouveau Parti démocratique
Kular, Kuldip (L)	Bramalea–Gore–Malton	
Kwinter, Monte (L)	York Centre / York-Centre	
Lalonde, Jean-Marc (L)	Glengarry–Prescott–Russell	
Leal, Jeff (L)	Peterborough	
Levac, Dave (L)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (L)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (ND)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
<b>Matthews, Hon. / L'hon. Deborah (L)</b>	London North Centre / London-Centre-Nord	Minister of Children and Youth Services, minister responsible for women's issues / ministre des Services à l'enfance et à la jeunesse, ministre déléguée à la Condition féminine
Mauro, Bill (L)	Thunder Bay–Atikokan	
<b>McGuinty, Hon. / L'hon. Dalton (L)</b>	Ottawa South / Ottawa-Sud	Premier and President of the Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil, ministre des Affaires intergouvernementales
<b>McMeekin, Hon. / L'hon. Ted (L)</b>	Ancaster–Dundas– Flamborough–Westdale	Minister of Government and Consumer Services / ministre des Services gouvernementaux et des Services aux consommateurs
McNeely, Phil (L)	Ottawa–Orléans	
<b>Meilleur, Hon. / L'hon. Madeleine (L)</b>	Ottawa–Vanier	Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (ND)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
<b>Milloy, Hon. / L'hon. John (L)</b>	Kitchener Centre / Kitchener-Centre	Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Mitchell, Carol (L)	Huron–Bruce	
Moridi, Reza (L)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (L)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	
Oraziatti, David (L)	Sault Ste. Marie	



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Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (L)	Kitchener–Conestoga	
<b>Peters, Hon. / L'hon. Steve (L)</b>	Elgin–Middlesex–London	Speaker / Président
<b>Phillips, Hon. / L'hon. Gerry (L)</b>	Scarborough–Agincourt	Minister of Energy / ministre de l'Énergie
Prue, Michael (ND)	Beaches–East York	
<b>Pupatello, Hon. / L'hon. Sandra (L)</b>	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Qaadri, Shafiq (L)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (L)	London–Fanshawe	
Ramsay, David (L)	Timiskaming–Cochrane	
Rinaldi, Lou (L)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Leader of the Official Opposition / Chef de l'opposition officielle
Ruprecht, Tony (L)	Davenport	
Sandals, Liz (L)	Guelph	
Savoline, Joyce (PC)	Burlington	
Scott, Laurie (PC)	Haliburton–Kawartha Lakes–Brock	
Sergio, Mario (L)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
<b>Smith, Hon. / L'hon. Monique M. (L)</b>	Nipissing	Minister of Revenue / ministre du Revenu
<b>Smitherman, Hon. / L'hon. George (L)</b>	Toronto Centre / Toronto-Centre	Deputy Premier, Minister of Health and Long-Term Care / vice-premier ministre, ministre de la Santé et des Soins de longue durée
Sorbara, Greg (L)	Vaughan	
Sousa, Charles (L)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (ND)	Toronto–Danforth	
<b>Takhar, Hon. / L'hon. Harinder S. (L)</b>	Mississauga–Erindale	Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Van Bommel, Maria (L)	Lambton–Kent–Middlesex	
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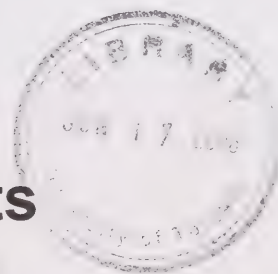
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de l'Ontario**

Première session, 39<sup>e</sup> législature

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(Hansard)**



**Thursday 12 June 2008**

**Jeudi 12 juin 2008**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 12 June 2008

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 12 juin 2008

*The House met at 0900.  
Prayers.*

## ORDERS OF THE DAY

### COLLEGES COLLECTIVE BARGAINING ACT, 2008

### LOI DE 2008 SUR LA NÉGOCIATION COLLECTIVE DANS LES COLLÈGES

Resuming the debate adjourned on June 11, 2008, on the motion for second reading of Bill 90, An Act to enact the Colleges Collective Bargaining Act, 2008, to repeal the Colleges Collective Bargaining Act and to make related amendments to other Acts / *Projet de loi 90, Loi édictant la Loi de 2008 sur la négociation collective dans les collèges, abrogeant la Loi sur la négociation collective dans les collèges et apportant des modifications connexes à d'autres lois.*

**The Speaker (Hon. Steve Peters):** Further debate.

**Mr. Rosario Marchese:** I welcome the citizens once again to this political forum. We're on live. It's 9:03. Yesterday I postulated that the House leader changed the rules in order to have debates at 9 o'clock in order to please those who are from out of town and who have nothing to do in the evening except go to bed at 9 o'clock, and get up at 5 or 6 in the morning, and they want to get here to Queen's Park at 7 because they're so bored and they're so sleepy that they need to get here and work. I postulated that. But I could be wrong. Peter Kormos would be here at 3 in the morning if he had to. I think he's that kind of a guy.

I was worried about why it is that the House leader changed the rules. Who knows? It could be that they changed the rules because people at home were simply bored. At 9 o'clock in the morning, they just didn't know what to do, and they were looking for excitement in this place. They said, "We've got something for you." For whatever reason that you might be up in the morning at 9 o'clock—you might have a disability; you might be laid off; you might be unemployed—for whatever reason, people needed an important distraction, people needed to watch something that was exciting, that could turn them away from their boredom. So this is it; this is what they get. Early in the morning, people get up, have a coffee—not a beer anymore. No beer, no red wine; just a coffee to stiffen them up and ready them for the debate. It's 9:05 in the morning; we are on live, in case you're up, ready and alert and alive to watch this political forum.

I'm happy to continue the debate on Bill 90. You will recall that this bill is about giving collective bargaining rights to college teachers who haven't had the rights for 33 years. They've been pushing governments, and they've been pushing this particular government for the last two years. Yesterday I had an opportunity to thank OPSEC AAT president Roger Couvrette and OPSEU president Warren "Smokey" Thomas for their relentless work to persuade the Liberals that they needed to bring a bill forward that finally recognized their right to collective bargaining. Yesterday I pointed out—

**Mr. Khalil Ramal:** We listened.

**Mr. Rosario Marchese:** They listened. It takes two long, painful years to listen. The minister yesterday said that when he went to that reception of college teachers, it was at that moment, when he spoke to them, that he finally realized he had to do it and that he had to deliver it for them—because he might never have met a college teacher before. But only at that time, when he met them face to face here at Queen's Park, he was given some revelation, and he said, "I've got to do it. I've got to do it today." That is what he said.

Delay and deny. Then people make reference to what other governments may have done in 1862, 1892, 1940 and so on. You are in government with the four big wheels that take you all over Ontario. You are the managers of this place. Not to say, "What did you do?" We are in opposition pushing you to do something. You are the government who says, "We're doing it." We wait and we wait, and finally when they deliver, they say, "We had to take our time to do it right." Whenever they don't want to do something, they need to take their time to do it right. It takes so long for governments to listen to what people have to say. That's why we introduced Bill 13.

My bill—I introduced it twice in this place. The government never listened to me, never even acknowledged that I introduced that bill or that I had asked questions in this Legislature or that Roger Couvrette, who was in this place, had anything to do with convincing, persuading, pushing this government to introduce this bill. It's okay; we don't need to be acknowledged by the government. The only time the government acknowledges someone is when a Liberal backbencher stands up, asks a silly question and then they say, "What a great member we've got from here and there, doing great things." That's the only time they praise somebody. When opposition members have questions or bills in this House, they dismiss you. That's what they always do. But that's okay. Our job is to do our job, to present the facts, to present the arguments, to help the government every now and then to do some-



thing. It takes time, but that's okay. Eventually they deliver.

Here's the point. Remember the context in which I presented these facts. Colleges have been underfunded for a long time. In spite of what the government says about their historic funding, we are still *numéro dix*, at the bottom of the pack, in terms of funding in Canada. We are number 10. In spite of your Reaching Higher plan, the supposed \$6 billion, you are proudly number 10 in per capita funding. I say to you: It's nothing to be proud of. It's a shameful statistic.

0910

**Mr. Bas Balkissoon:** It's just a statistic.

**Mr. Rosario Marchese:** Exactly. It's just a statistic; \$6 billion is just a number. You just throw it out there. You're absolutely right. That's typical of what Liberals do on a regular basis. We have given so much and we are at the bottom of the heap. You can't be proud of those facts; it's embarrassing.

Here's a little fact—it's not a prop, really; it's written by Colleges Ontario, the very groups the Liberals were praising yesterday. They rarely praise them except when they do something that may please them, and then they say—actually, this doesn't necessarily please them all that much.

Here's a stat: Real operating funding per FTE—full-time students—for colleges in 2007-08 remained about 16% lower than in 1992-93. You understand, in 1992-93, when we were in government, in a recession—you're giving less today than we were in a recession. You have faced years of good economic times. In contrast, college enrolment levels were almost 20% higher, you understand. You are giving 16% less per capita than we were in 1992-93—nothing to be proud of; nothing at all to be proud of.

That's the context that I give: that people need to understand the problems that colleges have been facing. They have been cutting back and they have been hiring part-time teachers in order to save as much money as they possibly can. Half of the college teachers in the system work part-time. They're part-time because they're cheap labour. That's what it was: cheap labour in order to save money. Colleges did that because they haven't been getting enough support from this provincial Liberal government for many, many years. Finally, we have Bill 90, which is going to give collective bargaining rights to college teachers and other support staff. We believe it's time they delivered; after denying and delaying, they've delivered something.

Here's the problem: The Supreme Court said they have a right; the International Labour Organization said they have a right. You, Liberal government, should deliver on that right. It isn't enough for the Liberals simply to give the right; they have to give the right by taking something else away. That's the way the Liberals do it. It wasn't simple enough for them to just give the right; they have to give and take at the same time in order to divide labour as best they can, in order to divide the opposition

as best they can. That's what Liberals do on a regular basis.

What have they done? The new bill removes the deemed strike and lockout provisions. These provisions determined that when a bargaining unit was on a legal strike or lockout, the employees were deemed to be on strike or locked out and, as a result, no employee would receive any pay or benefits for the duration of the strike or the lockout. This provision effectively dissuaded any bargaining unit employee from crossing the picket line and prevented the employer from hiring employees from the unit during a lockout.

OPSEU president Warren "Smokey" Thomas said, "It is pretty outrageous that this government thinks that recognizing the charter rights of one group of workers means that another group of workers must give something up." He's absolutely right. You just couldn't give a right without having to take something else away. We decry that; OPSEU decries that; many college workers decry that. That is why we want to have the hearings: to allow college teachers and OPSEU members to come and speak to this bill, to either give praise or criticism of this particular bill. After that, we can come back, debate it one final time and deal with the problems that have been raised for the last 33 years.

With that, we have submitted our arguments as New Democrats. We have no desire to delay the hearings. We want hearings to happen. We will not put up other speakers; we feel the arguments have been made. We look forward to the hearings this summer to give the workers an opportunity to speak to Bill 90, after which we can come back, debate those changes and deal with this as effectively and efficaciously as possible.

**The Acting Speaker (Mr. Jim Wilson):** Questions or comments?

**Mr. Reza Moridi:** Yesterday and today, the honourable member for Trinity-Spadina spoke quite lengthily, though he spent a good part of his speech on matters that really didn't relate to this bill. He claims that our government delayed in bringing this bill to the House, but the honourable member failed to acknowledge the fact that when his party was in government in 1992, they didn't look into this bill.

I'm proud that our government, under the leadership of our Premier, looked into this bill, looked into this fact that our part-time college teachers need to have the right to collectively bargain. Our Minister Milloy, Minister of Training, Colleges and Universities, took the leadership and looked into the case. He asked Kevin Whitaker, who is one of the most expert persons in labour relations, to review the current act, consult stakeholders and come up with a report.

Changing this bill is not something where you can just look at it, delete some articles and add another article. This is very important legislation before this House. It affects the lives of 17,500 people. We have to look into this very carefully. That's what our government, our minister, has done.

We have asked a very expert person in this area to review the current legislation and come up with a report.



The report is public. This present bill that is before the House is based on the recommendations given by Mr. Whitaker. In our college system, there are 39,000 people working, and 17,500 of those people didn't have the right to collectively bargain. Based on this legislation—

**The Acting Speaker (Mr. Jim Wilson):** Thank you. Further questions and/or comments? Being none, further debate?

**Ms. Laurie Scott:** I'm pleased to have the opportunity to speak this morning on Bill 90, An Act to enact the Colleges Collective Bargaining Act, 2008, to repeal the Colleges Collective Bargaining Act and to make related amendments to other Acts.

I'll begin by saying what other members of the caucus have said, including my colleague from Simcoe North yesterday, that we fully appreciate, as does the PC caucus, the work of all the world-class universities and colleges that we are fortunate to have here in the province of Ontario.

I know that many of our offices have met over the years with the part-time workers at the colleges, asking for this act to be repealed and changes made. In my riding of Haliburton-Kawartha Lakes-Brock, I had, a couple of times, a great delegation—I believe they were all ladies—who came in to see me about the repealing of this act and the changes they would like to see happening. They do tremendous work at our colleges. All the staff do.

I know that in my riding we have Fleming College, formerly known as Sir Sandford Fleming College. I have the Frost campus in my area, in Lindsay. I also have a satellite campus in Haliburton, which is a school of fine arts, but it does offer many different classes as the years have evolved. They have a beautiful new campus there. In the last six or seven years since it opened, it's been just a tremendous campus to visit. The home campus, Fleming College, is in Peterborough, so I share that with my colleague from Peterborough; Fleming College has branches in both of our ridings. Trent University is in Peterborough, and of course a lot of people from my riding go over to Trent University.

0920

Bonnie Patterson is at Trent University, and we now have the great Tony Tilly as president of Fleming College. The past president, Brian Desbiens, was president for over two decades, and they just dedicated a great technology wing of Fleming College in Peterborough to him for all the work he has done, not just with the college, but he's a tremendous community person—all the committees he sits on that have helped and enhanced our communities. I thank him for that dedication and work. I know that the principal at Fleming College, Blaine Harvey, is doing a great job at the Frost campus.

The college system was the brainchild of Bill Davis, the former Premier. It was a fabulous idea. I myself am a graduate of the nursing diploma program at Loyalist College. The nursing program has evolved; it's now a degree program. But the colleges are still a big part of that. I know that Fleming College and Trent University have a

partnership—many others do across the province of Ontario—and the coordinated efforts that both of them make are truly exceptional. Fleming College is always coming to my office and asking, "What do you think the community needs? What courses can we offer?"

Fleming College has an incredible reputation for its environmental wing, which was built within the last 10 years. They have the Centre for Alternative Wastewater Treatment, which promotes constructed wetlands and other innovative forms of waste water treatment, and they have a demonstration site right there where you see the weeds and cattails and everything that's filtered through. They've gone up to northern Canada and instituted that. I know that they've been recognized globally for their awards, and all from a small campus in Lindsay: the Frost campus. They have certainly been great partners in our community. I know that they were working with business incubators, and we'd love to see some environmental businesses come and start up in partnership with them, using Fleming College and other close-proximity properties we have. That initiative is going to expand, and that is just fabulous for our area. The colleges are fortunate to have Linda Franklin as CEO of Colleges Ontario.

I have a November 2007 note from the College Compensation and Appointments Council with respect to the Colleges Collective Bargaining Act, which is the topic of the bill we're discussing today, and I want to get a couple of points on the record. In terms of support staff, the college pays 100% of the wages and benefits for the support union bargaining team, which consists of seven members, for every day of face-to-face negotiations, plus seven days' preparation—in 2005, that was increased to 10 days' preparation. The last round of negotiations, in 2005, which was a total of 23 days, cost an estimated \$33,651; in 2003, that cost was \$43,548. So in terms of academic staff, the college pays the seven members their full wages and benefits from the date that notice is given until the signing of a collective bargaining agreement.

In this case, notice of the last round of negotiations for academic staff was sent in January 2005, and negotiations ended in August 2006, 19 months later—long negotiations. The average annual salary for the seven members of the support union bargaining team was nearly \$75,000. The total cost of the negotiation—again, it lasted some 19 months—was \$1,007,000. I just want to put it out there that this isn't cheap; collective bargaining agreements cost a lot of money just to get established in the first place. So I'm very interested in what the minister would have to say about the increased cost of negotiations. What are his estimates going to be on this? Have they considered it? I know that we're here today and we want to send this to committee for further discussion, but I'm hoping that the ministry has done some background work on the cost. It's essentially taxpayers' money, and it's only fair that taxpayers know what that money is being used for.

I know that the PCs and the Liberals differ greatly on accountability. It's quite apparent that for the Liberals,



accountability only matters once the media catches on, which leads me to this real issue of funding. I know that my colleague just mentioned that Ontario colleges received the lowest per-student government funding of all the provinces. That's a pretty pronounced fact that we can't ignore. The Premier, as has his MO, in fact promised to bring the funding to the national average. He signed a pledge—another one of his MOs; signing pledges saying he would do so. I think it was over eight years ago that he signed the pledge. Extending those bargaining rights would increase the cost to colleges up to the \$200-million figure.

If the colleges are to go down this path, they'll have to have financial support from the government. This is going to cost. You can't expect the colleges themselves to bear the full brunt of this; they'll have to have some provincial money. I've already mentioned that they receive the lowest per-student government funding of all the provinces. So I think it's a fair question to the minister to explain this to the people of Ontario.

I want to comment on the apprenticeship-journeyman ratio in this province. I know that my colleague from Simcoe North has been a strong advocate of apprenticeships for many, many years—ever since I've been in the Legislature. He's been a great mentor to me; I'm very passionate about the apprenticeship program. He has brought forward some good suggestions, and I hope we're here next Thursday, because I want to debate my resolution that would establish—

**Mr. Peter Kormos:** Dream on. The Liberals have run out of steam.

**Ms. Laurie Scott:** I know. I wish they wouldn't, because they need to change this apprenticeship ratio to one to one, instead of being the odd one out in the whole country. In Ontario today, it's a three-to-one ratio. We want more skilled trades out there. We want the one-to-one apprenticeship ratio. We need it for our province; we need to do this for our children. This motion is being brought forward next Thursday, and I hope the government would support that. The one thing that is highlighted many, many times is the need for more skilled trades in Ontario.

I appreciate the opportunity to speak this morning and brag a little bit about the colleges in my riding: Fleming College and its two campuses in Lindsay and Haliburton. I know that this bill is going to committee. I have raised some questions this morning, and more questions will be raised as we go to committee, so we're going to end this debate from our side. Thank you very much for the opportunity.

**The Speaker (Hon. Steve Peters):** Questions and comments?

**Mr. Khalil Ramal:** I'm delighted to comment on the member from Haliburton-Kawartha Lakes-Brock. She spoke about many details. It's important to remind the member that there's been no government in the past that has worked with the colleges and universities like our government has. While we're looking forward to—

**Mr. Mike Colle:** Dispense.

**Mr. Peter Kormos:** Your own whip is trying to shut you down.

**Mr. Khalil Ramal:** It's very important for all of us to—

*Interjections.*

**Mr. Khalil Ramal:** Nobody is listening this morning.

It's important to remind the member about our initiative to always support the colleges and universities. I'm happy to go out there and tell the people.

**The Speaker (Hon. Steve Peters):** Questions and comments? Further debate?

The member has two minutes to respond. No?

Mr. Milloy has moved second reading of Bill 90. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**The Speaker (Hon. Steve Peters):** Shall the bill be ordered for third reading?

**Hon. Michael Bryant:** I ask that the bill be referred to the Standing Committee on General Government.

**The Speaker (Hon. Steve Peters):** So ordered.  
Orders of the day.

0930

#### PRAYER IN THE LEGISLATURE

**Hon. Michael Bryant:** I believe we have unanimous consent to put forward a motion respecting the report of the Speaker's panel on prayer in the Legislature, and that each party be allotted up to 10 minutes to speak to such motion, following which the Speaker shall put the question without debate or amendment.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Hon. Michael Bryant:** I move that the Speaker commence each meeting day of the assembly by reciting the Lord's Prayer, followed by another prayer, or the presentation of a verse or passage, or call for a moment of silent reflection, or any such other similar activity which, in the opinion of the Speaker, will serve to reflect over time the general demographic composition of this chamber and of the province of Ontario.

**The Speaker (Hon. Steve Peters):** Debate?

**Hon. Michael Bryant:** We are debating a motion the subject of which has not been considered by this Legislature since 1969. It is a motion addressing an important ritual that takes place at the opening of this Legislature—namely, the opening prayers.

This subject and issue, this ritual, the reading of the prayers by the Speaker, is the domain of the Legislature. We are debating a legislative recommendation which is set out in a report unanimously submitted by an all-party panel, chaired by the Speaker, and signed by the committee members, MPPs Balkissoon, Dunlop and DiNovo, and attached to a letter to the Premier from the Speaker of June 11.

The recommendation was—and I'm going to read from the report: "The panel has concluded that it is appropriate for each day of the Legislature to continue to be opened with the recitation by the Speaker of the Lord's Prayer." It goes on to say: "It is not explicitly and un-



ambiguously inclusive of all faiths. To address this shortcoming, the panel recommends that the existing non-denominational prayer be discontinued—that's the prayer that takes place at the immediate opening of the Legislature—and that "the Speaker will lead the House in an additional prayer" following the recitation of the Lord's Prayer. That additional prayer could also be a "moment of silent reflection such that the faith and non-faith demographics of the chamber and of the province would be proportionally expressed over time. It is expected that the Speaker would be assisted in the collection of suitable prayers for this purpose by members of the Legislature and by faith groups."

That recommendation is being effected in this motion. The report was a response to a letter sent by the Premier to the Speaker on February 11—sorry; let me correct that. It was not a letter to the Speaker; it was a letter to the leader of the official opposition and the leader of the third party, Mr. Runciman and Mr. Hampton. In that letter, the Premier stated:

"The last time the Ontario Legislature updated the daily prayer recited in the legislative chamber was in 1969. Our counterparts in other provinces and the federal government have adjusted their customs to reflect the diversity of the population."

The Premier goes on to propose "that we form a legislative committee to be chaired by the Speaker," and then it goes on to propose what the all-party agreement ended up consisting of: one member from the government, one from the official opposition and one from the third party. The Premier then writes, "Based on that advice, [the panel] would make recommendations to the Legislature on a new procedure to open our daily proceedings."

He says in closing, "The members of the Ontario Legislature reflect the diversity of Ontario—be it Christian, Jewish, Hindu, Muslim, Sikh or agnostic. It is time for our practices to do the same. That is the Ontario way."

That is the Premier in his letter to the leaders of the official opposition and the third party. Again, we are today debating an all-party committee recommendation. Is it a perfect result? Perhaps not. Is it a consensus recommendation? Yes. Is it the resolution of an all-party committee? Yes. Is it one that certainly members of our caucus and, my understanding is, all members of this Legislature support? Absolutely.

I want to give credit to the members of provincial Parliament—Mr. Balkissoon, Mr. Dunlop, Ms. DiNovo—and the Speaker for forging a consensus and finding a way in which this Legislature would open that not only had the support of the Legislature but reflected the differences of the members of this Legislature and the differences that exist within our province.

I always personally felt that the Legislature opening with a Christian prayer—and it is a Christian prayer. It's one recited in my church; it's not one that I am aware of being recited in synagogues, temples or mosques. It made me wonder whether the members of the Legislature who were not members of the faith that I have, the faith that

recites the Lord's Prayer, found this to be an exclusionary moment—in other words, a moment where the official ritual of the Legislature included one denomination's prayer but not another's. The effect of that was certainly not the intention of any members of the Legislature, I know.

In 1969, when this was looked at, the diversity of the Legislature was nothing like it is now. The diversity of the province was nothing like it is now. It was without question an inadvertent ritual, arguably, of exclusion for those people who do not share the mainstream religious faith that is shared, held and worshipped in some cases by a majority of the population here in Ontario.

This is an effort to reflect the diversity not only of this Legislature. I think we can all imagine standing in the shoes of those who do not share the religion to which the Lord's Prayer is attached and imagine what it would feel like if that was the only prayer recited in the Legislature. It might be one of exclusion.

I want to say in closing that I believe this to be a very good resolution, not just because we have addressed the issue of equality and equal liberty and religious equality. Governments must, under the Charter of Rights and Freedoms, take a position that is not fundamentally secular but in fact is equal. In other words, one religion cannot be preferred over another.

The Legislature does not operate under the domain, for example, of the Human Rights Code. That has been settled by the courts. The Legislature is governed by the people in the Legislature. By forging this solution, resolution and recommendation, I believe that the province and this Legislature—again, very much to the credit of Mr. Balkissoon, Mr. Dunlop, Ms. DiNovo and the Speaker—have come forward with a recommendation that also reflects our politics.

The religious divisions in the United States, for example, drive into political divisions, and parties form around those divisions. The democratic debate, to a large degree in the United States—perhaps decreasingly so, but nonetheless it is the case that much of that debate is driven by those political divisions based on religious divisions.

We have not done that. We have found in this Legislature a solution. The report has recommended a solution that is not divisive but rather seeks to be inclusive; that does not reflect division within the Legislature but in fact is one that is unanimous of the panel. It is my hope that it will be supported by this House, but it will be for this House to decide.

In doing so, I believe we have not only modernized the ritual of the Legislature but we have also allowed for Ontario and Canadian politics to reflect a unique identity that does not allow religious divisions to drive political parties and to drive political movements but is one that reflects the equality in Canada for which we are very proud; one that reflects political divisions, yes, but is not driven by denominational differences; and one that reflects the multiculturalism of the province and of Canada.

I would say, as the Premier says in his closing words: That is the Ontario way.



0940

**The Speaker (Hon. Steve Peters):** Further debate?

**Mr. Garfield Dunlop:** I'm very pleased this morning to respond on behalf of the Progressive Conservative Party to the motion that's before the House.

Mr. Speaker, I'd like to begin by thanking you for your leadership on running the all-party panel and coming forward with this motion, which I think is a very fair motion for this House to adopt. I also want to thank Mr. Balkissoon and Ms. DiNovo for their input and of course your staff and the legislative staff that assisted us in the drafting of this resolution. In particular, I'd like to thank my leader, John Tory, who asked me to sit as a member of this all-party panel to examine the use of the Lord's Prayer in the Legislature, and I'm very proud to do so. Ms. DiNovo, Mr. Balkissoon and yourself, Speaker, were great to work with, and I think we've come up with something that is very fair.

In particular, I'd like to thank the citizens of Ontario who have come forward with petitions—I believe it's way over 20,000 by now. They're rolling in each day, with 11,000 hits to our website. It was fairly evident from the beginning, particularly in the area that I represent, that 85% to 90% of the people supported retaining the Lord's Prayer to be recited in this Legislature each day. We didn't know this was coming at us to begin with. We had this debate back in 2000, and that followed a court hearing that a fellow by the name of Henry Freitag took against the town of Penetanguishene, which removed the Lord's Prayer from municipal council meetings. It was determined after that that only parliamentary privilege would remove it from this chamber.

As a representative from the riding of Simcoe North back in those days, I can tell you that people were hurt; they were really saddened to see something as powerful and traditional as the Lord's Prayer removed from the municipal council meetings. Many, many councils across this province were opposed to and hurt by this decision. We felt that by bringing a petition into this Legislature at that time, in summer 2000—we actually had another 11,000 signatures back in the year 2000 asking for the Lord's Prayer to be retained in the Legislature.

There are a lot of reasons for it. I have to say, from the beginning back in February, when we spoke to the media, to the Premier's office and to people in our ridings, it was clear from our party's perspective, the Progressive Conservative caucus, that removing the Lord's Prayer was not an option. It had to stay as far as we were concerned, but we were very clear that we were also open to other suggestions and other prayers being added. I know that our leader, John Tory, mentioned it a few times. I think even the Premier got around to mentioning it, along with our member from Oak Ridges, Frank Klees—he mentioned that a second, rotational prayer reflecting multi-denominational faiths would be something that we would clearly accept.

I have to stand in the House today and tell you that we are very pleased with the outcome of this motion. Why? I want to just back up for just a moment and talk about

why we are so pleased about having the Lord's Prayer retained. Personally, I, myself, and a lot of people in our caucus—and, I hope, a lot of the people in the House—are very strong traditionalists, and I know they believe in the heritage and culture of this wonderful province and this wonderful country. Our system here in Ontario and in Canada is based on the British parliamentary system, and that of course dates back to the Magna Carta.

I wanted to add a couple of things just for the record. In the British parliamentary system, before parliaments were formed, the original meetings of Parliament were held in cathedrals. We have so many symbols in our Legislature: the carvings, the coat of arms, our flags, our mottoes. The very architecture of these buildings is based on Christianity and on the British parliamentary system.

In our caucus, we're just not prepared to send that out the door. We believe very strongly that the Lord's Prayer is part of that, that Christianity is part of the very foundation of our wonderful country, and we want to retain that. Again, that's why we are so pleased.

On the other hand, I took a walk last night down Yonge Street—I always walk each night or each morning for exercise—and I can tell you, when you look at the culture, when you look at the makeup of our province, when you look at the makeup of the citizens of our cities and our province, it's clear that we are a wonderful, wonderful place in the world to live. Regardless of the political policies that we fight about with each other, you know what? This is a place we should be proud to call home, a place to accept other people into our culture and into making Canada their home.

I think a good example was made yesterday. There were two things that happened yesterday. First of all, I thought that the apology that Prime Minister Harper made to our First Nations people was a very brave move. All people, all Canadians, should be proud of that moment: that our Prime Minister would come forward and say that.

As we move forward with how we perform the prayers in the opening sessions, I think we can accept this well into the future. Obviously there will be years ahead when we will re-examine this once again, but for now, I'm proud to say that, working with our all-party panel, we've come up with a very reasonable solution. The Speaker already has in his hands a number of the prayers from other denominations that have come forward. We'll be happy to see those proceed in the weeks, months and years ahead in this Legislature.

In hindsight, as I said earlier, we didn't expect this to come at us. We thought there were probably more important things to be debating and more important things to spend committee time on, because we believed that the Lord's Prayer was part of this, part of our daily routine. But we have problems. We have issues around smog, around the loss of manufacturing jobs, around poverty, around the declining economy. We have to remember that those are priorities as well. As we move forward, we in our caucus did not want to spend a lot of time debating this. That's why, as we bring the recommendations of the



panel forward, we're so pleased to see that we have something that all members of this House can accept and hopefully support well into the future.

Mr. Speaker, with that I want to once again thank you for your efforts. I hope I'm not letting anything out of the bag, but I think you told me originally that you were on a beach in Cuba when you got your first phone call on this. I hope you don't take your BlackBerry and your cell-phone to the beach.

But you know what? It has been a challenge. It was interesting to read through the thousands and thousands of letters and e-mails that we received as we went forward with this motion.

I hope everyone in the House will support this. I appreciate the—

**Mr. Peter Kormos:** Too much.

**Mr. Garfield Dunlop:** Once again, I hear Mr. Kormos heckling. I meant to say, Mr. Speaker, that you needed a break. It was good that you got away. The reality is, he mentioned it to us at our committee. He made it clear that he was tired and was there for a rest.

This was a surprise to him. It's something that we didn't really need, but the all-party panel has reported. Our caucus is extremely happy with this. We hope that the members of the assembly will be happy with this and we hope that the citizens of Ontario will be happy with this.

Once again, as I close, I want to thank the citizens of Ontario who have responded in such a positive manner to seeing the drafting of this resolution come forward. We will be supporting it 100% in this caucus. On behalf of John Tory, Bob Runciman and the Progressive Conservative caucus, I'm pleased to make these comments today and to thank Ontarians once again for responding to this all-party panel.

0950

**The Speaker (Hon. Steve Peters):** Further debate?

**Ms. Cheri DiNovo:** Thank you, Mr. Speaker, and indeed thank you for your role in this. I also want to thank Todd Decker and Larry Johnston, and Maggie—I don't know her last name; the assistant to the Speaker. Certainly, everyone worked very tirelessly on coming up with this.

Before Dalton McGuinty started talking about possibly revoking the Lord's Prayer—which, let us be clear, was implied when he said "review the Lord's Prayer"—before he mentioned it, I don't believe I received one e-mail on revoking or reviewing the Lord's Prayer. Here are the top e-mails that I receive: One in six children living in poverty in the province of Ontario; 200,000 manufacturing jobs lost in the province of Ontario; 120,000 households waiting for housing in the province of Ontario; only one in 10 children having a space in daycare in the province of Ontario; and of course the minimum wage in the province of Ontario that keeps people in poverty. That's what I receive e-mails on; that's what New Democrats receive e-mails on—not revoking the Lord's Prayer and the saying of the Lord's Prayer in this place. Not one e-mail did I receive on that.

It's interesting that this move of the government has more of figures than faith in it, more of expediency than ethics in it, because of course what this represents for Dalton McGuinty and the Liberal Party is retreat. It's a retreat in the face of the overwhelming number of e-mails and responses from the people of Ontario. You heard the Progressive Conservatives talk about the sheer number—20,000 and counting—who wrote in demanding that the Lord's Prayer be said, with a small portion asking for the revocation of prayer in this place. That's what this is about.

I wish I could say it were something else. I'm a United Church minister by trade and I'm first and foremost a United Church minister. I am a politician by avocation, not by vocation. Every morning, my husband and I say prayers together. One of the prayers we say is the Lord's Prayer. The other prayer we always say—it's why I'm standing here; it's why I survived one of the ugliest by-elections in the history of this province—is that we pray for our enemies. We pray for those who want to harm us. We pray nothing but blessing and joy upon them for that day. It's prayer that keeps me here. It's prayer, I believe, that keeps us all here. That's what my husband and I do every single morning. For us, it's about faith. For us, it's not a "ritual," to quote Mr. Bryant. It's not an empty ritual; it's something in the very substance of our beings. And for many out there in the province of Ontario, it is as well, clearly.

I love a quote from 1 John. The quote from 1 John defines God for me, where 1 John writes, "God is love." God is love. There's an equal sign there. "Whoever lives in love lives in God, and God lives in them." I used to say that at the beginning of every wedding I performed.

Clearly, out of love, Ontarians responded here. Even those who are humanists and secularists responded out of ethics, out of a real sense of what is right, of what is just. They responded out of love. They didn't make their decision based on the numbers, on polls, on expediency; they made it from the very marrow of their being, from something that really meant something to them.

A year ago, I brought in a motion to this House called "A place for all people." What I asked for in that motion was that there be a place for all people in this place which people of all faiths and of no faith could use for meditation, time out. There is such a place on Parliament Hill. Just about every large institution where people work has such a space. We need such a space here.

I witness many who are Sikh or Muslim running across four lanes of University Avenue to go over to the Hart House chapel to pray because there is no space here for them; none whatsoever. I have the assurance of the Speaker, and I'm delighted in it, that that place will be found, a place that's accessible and open for everyone. I'm delighted about that. I'm delighted that that is a by-product of what has happened here today.

Jesus, when he said the Lord's Prayer, was a Jew; he was a Rabbi. Certainly, Dow Marmur, in his comments in the Toronto Star, highlighted that. Jesus said those words in Aramaic. "Abba" is what he calls "Daddy"; he's



saying "Daddy" in Aramaic. It's a very intimate prayer. It's a prayer that he said out of love. It's a prayer that one should never—and, may I just say, and put great emphasis on this—be forced to say. Faith is the antithesis of force. No one should ever be forced, in this chamber or anywhere else, to say a prayer they don't believe in, simply to mouth the words, simply to get along. That goes for all prayer, and I hope that everyone here takes that to heart: that what we're saying has nothing of force in it; absolutely nothing. Those who don't want to pray should leave the chamber and be allowed to stand and not pray, and that a moment of silence should be one of those options. We made sure that we included a moment of silence.

When we're talking about what's right, what's just, what's of faith and ethics and not of expediency and figures, we're talking about something for everyone, particularly something for the minority. Our secular and humanist brothers and sisters made a very good point when they said that human rights is about, in a sense, marginal rights, minority rights, and not just what the majority wants.

Of course, that's not what this government has done here. Again, there is more figures than faith, more expediency than ethics about their move this morning. Because it was very clear what Dalton McGuinty did. It was very clear the move he made when he looked at the possible revocation of the recitation of the Lord's Prayer in this place.

I was delighted to be on the panel; I think we came to a very good conclusion. We came to the conclusion that most Ontarians came to. Most Ontarians—and let us be clear about this—voted with their e-mails, with their deputations, with their letters, against what Dalton McGuinty wanted, against what the Liberal Party wanted. They spoke out of ethics. They spoke out of deep compassion and a sense of justice. They spoke the same way that Jesus spoke: out of love. They spoke out of love, compassion and ethics. They didn't speak because they were frightened. They didn't speak because they were in full-scale retreat. They didn't speak because it was politically expedient to do so.

I'm delighted that the Lord's Prayer stays. I'm delighted that we've opened the door to the prayers of other faiths. I'm also delighted that we will now have a moment of silence as well to acknowledge those who do not share faith.

I'm delighted, again, that Ontarians, like New Democrats, speak out of a sense of justice, a sense of compassion, a sense of what's right and not what's popular—the same sense, we might say, out of which those who embody the spirit, those who embody love of all faith traditions and no-faith traditions speak; that is, out of, at the end of the day, a sense of love.

Thank you, Mr. Speaker, and thank you to my colleagues who sat on that panel. I think this is a just solution to a problem not of our creating, but a problem of Dalton McGuinty's creating. Finally, finally, we've put that to rest. Finally, we've done what's right.

**The Speaker (Hon. Steve Peters):** Mr. Bryant has moved that the Speaker commence each meeting day of the assembly by reciting the Lord's Prayer, followed by another prayer, or the presentation of a verse or passage, or call for a moment of silent reflection, or any such other similar activity which, in the opinion of the Speaker, will serve to reflect over time the general demographic composition of this chamber and of the province of Ontario.

Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Under the new standing orders, this vote will be deferred until this afternoon.

*Vote deferred.*

**The Speaker (Hon. Steve Peters):** Orders of the day.

**Hon. Michael Bryant:** I seek consent for the House to recess until 10:45.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

*The House recessed from 1000 to 1045.*

## INTRODUCTION OF VISITORS

**The Speaker (Hon. Steve Peters):** Please be seated.

**Interjection:** Pray be seated.

**The Speaker (Hon. Steve Peters):** I think only the Lieutenant Governor can say that.

On behalf of the Minister of Health, we'd like to welcome a number of guests to the chamber today as part of the Cancer Care Day of Education: Richard Ling, chair of the board, Cancer Care Ontario; Dr. Terry Sullivan, president and CEO of Cancer Care Ontario; Dr. Carol Sawka; Dr. Bill Evans; Dr. George Pasut; Dr. Linda Rabeneck; Sarah Kramer; and Michael Power. To all of our guests, welcome.

## ORAL QUESTIONS

### SCHOOL SAFETY

**Mr. Frank Klees:** My question is to the Deputy Premier. Yesterday, I brought to the Premier's attention a situation where a principal failed to report to the police a situation of student-on-student assault during school hours on school property. The Premier responded by assuring us that he would ask the Minister of Education to look into the matter, to investigate the matter, and he also assured us that the safety of our children in our schools was an absolute priority for this government.

I would ask if the Deputy Premier could advise us what steps the government is taking to ensure that students are in fact safe and that the appropriate reporting will take place should an assault take place.

**Hon. George Smitherman:** To the Minister of Education.



**Hon. Kathleen O. Wynne:** I appreciate the member opposite bringing the incident to our attention. Obviously all students have the right to be safe in their schools, and more than that, I completely agree with the member opposite that families have a right to know what is happening in schools and when there have been incidents. My understanding is that the director of the board has indicated that the principal did not follow protocol in reporting the incident. We are actually in the process of reviewing police protocols and we are monitoring those very closely.

**Mr. Frank Klees:** I appreciate that, and I appreciate the minister following up on that. We'll look forward to the specific reports.

The government must know that currently there is in fact no legal obligation under the Child and Family Services Act for school officials to report a student-on-student assault to the police. Currently the only legal obligation is to report child abuse at the hands of a parent or person in authority, not abuse or violence at the hands of another student.

Given the Premier's assurance yesterday and the minister's assurance now that student safety is a priority for the government, can the minister assure us that the government will bring forward legislation that closes that loophole that does not require mandatory reporting under the law? And will the minister commit to bringing that legislation forward so that we can deal with it before we rise for the summer?

**Hon. Kathleen O. Wynne:** Obviously these are very serious issues that the member opposite raises, which is why we re-enacted our safe schools action team, led by my parliamentary assistant, the member for Guelph. She is currently looking at both the police protocols and also the reporting mechanisms, because there are various reporting mechanisms and requirements in place. What we want to be clear about is that any gaps in those are filled, and that is certainly what I will be expecting in her report within the coming months.

1050

**Mr. Frank Klees:** We know what needs to be done. Apart from protocol and reporting obligations, we know that there's a loophole in the law today that can be fixed by this Legislature before we rise for the summer. Given the Premier's commitment for student safety, we, the official opposition, are ready to co-operate with the government to approve that legislation—the amendment to the act that will make it a requirement for school officials to report assault directly to the police when it happens.

My question to the minister is this: Will she commit to bringing that legislation and count on the support of the opposition parties to pass that legislation, so when kids go to school in September, parents can rely on the law and the obligations under law that administrators will look after the safety of their children?

**Hon. Kathleen O. Wynne:** What's interesting in this situation is, the precipitating event for the member's questions was a situation where in fact the protocol was

not followed. I've already said that we are looking at protocols, we are going to be looking for the gaps, and we're going to be reviewing those reporting mechanisms.

The point is that, apart from all the protocols, what we need is good communication. In this instance or in any other instance where there's an incident at a school, parents need to be apprised of that; they need to be apprised the incident in a reasonable period of time. There's a blend of common sense and protocol that needs to be in place in the running of any school. We're looking at the protocols; we're looking at the reporting mechanisms. In this case, it's very unfortunate that the parents were not apprised of the situation. That should have happened.

## AUTOMOTIVE INDUSTRY

**Mr. Ted Chudleigh:** To the Minister of Economic Development and Trade: To paraphrase Albert Einstein, if you repeat the same experiment over and over again, don't expect different results. The massive job losses that we are seeing make workers and businesses wonder whether this government's investment strategy is caught in a cycle of failure. Minister, will you allow for an independent review of your auto investment strategy so that taxpayers, and especially auto workers, can be sure that they aren't being taken to the cleaners?

**Hon. Sandra Papatello:** I appreciate this question, because it gives us once again the opportunity to show Ontarians that their taxpayer dollars are working hard to bring investment to this jurisdiction. I would reference the launch of the Flex at the Oakville plant with Ford Motor Co. That was an opportunity for Wayne Gretzky to assist in launching this Flex vehicle that only happened because of the Ontario government's investment with Ford Motor Co., to the extent that Ford Motor Co. is busy hiring 500 people for that Oakville plant. That's an important symbol of investment in innovation to land new investments and new product in this province in our automotive sector.

**Mr. Ted Chudleigh:** I'm afraid I'll have to take that as a no.

We need to shine a light on these contracts, because we keep getting different answers about what's actually in them. This government doesn't even know whether GM job guarantees have been breached or not. The Premier says, "Yes"; the minister says, "We'll have to wait and see." This confusion does not instill confidence in either workers or manufacturers.

As we hopefully enter into new contracts with GM and other auto manufacturers, Ontarians deserve to know that their tax dollars will guarantee results. I ask again, Minister: Will you allow the Auditor General to perform a value-for-money review of the entire auto investment strategy?

**Hon. Sandra Papatello:** I would hope that some of the MPPs opposite who actually come from the region north of Toronto would appreciate the fact that our participation with the GM Beacon project meant a \$60-million investment in post-secondary institutions to assist



in the development of new technologies that will make our auto industry strong. I would hope that people who represent the area around UOIT would understand that \$58 million in participation by this government will allow that university to be built up, to grow, to be strong, and that \$2 million of that amount going to McMaster allows for the kind of innovative R&D that that sector needs for the future products that will be going into our cars.

This is an important investment through the Beacon project. It's exactly why we may well have an opportunity to land a new car product: because of the Flex system that we helped to develop for that plant. I expect this member in particular to understand the importance of this.

**Mr. Ted Chudleigh:** The thousands of people who've been laid off at General Motors, Ford and Chrysler may not agree with that answer. The PC Party has always supported creating an investment environment that brings good, sustainable jobs. I remind you of the million new jobs that we created in our term of government. Your auto investment strategy is not achieving this goal.

Make the contracts public. Let the Auditor General review them. Learn from your mistakes, so that any future discussion that we hope you will have with GM and other automakers will bring positive results for businesses and workers alike. Will you do that, Minister?

**Hon. Sandra Pupatello:** What I think we have to acknowledge is that the big mistake that was made was in this very House when members of the opposition refused to support the automotive sector. They refused to be supportive when initiatives came forward, either through the automotive investment strategy, through budget initiatives meant directly to help the sector—the very sector that looks like they're needing the help the most. These members opposite refused to stand up. They don't stand up for the workers and they don't stand up for our automotive sector either.

I would ask this member to call on the very individual who leads all of those automotive workers, Buzz Hargrove. Have you had one conversation with this individual? Have you had one conversation with the very leader who has said, "Without provincial support, including its participation in GM's Beacon project, the situation facing the industry today would be far, far worse"? Those are the words of Buzz Hargrove.

#### AUTOMOTIVE INDUSTRY

**Mr. Howard Hampton:** My question is for the Acting Premier. In 1937, in Oshawa, the historic strike by auto workers against General Motors happened. David Croll, the Minister of Labour in the Hepburn Liberal government, made a difficult decision: He resigned from the Liberal government and issued this statement: "Thousands of working men and women of the province of Ontario have come to look to me as their protector and their champion. I feel that I cannot now fail them. In my official capacity I have travelled the middle of the road,

but now ... my place is marching with the workers rather than riding with General Motors."

An hour from now, I and my NDP colleagues will be marching with the workers in Oshawa. My question is: Whose side is the McGuinty government on—General Motors'?

**Hon. George Smitherman:** To the Minister of Economic Development and Trade.

**Hon. Sandra Pupatello:** I think there will be no mistaking where the Ontario government sits when it comes to General Motors and the thousands of workers who work for General Motors. Not one government has been more supportive of the automotive sector than this one, and not one Premier has been more supportive of the Canadian auto workers than this one.

Last night, we had an opportunity to fete Buzz Hargrove as he celebrated his many years in service, not just to the automotive sector but to this nation. Who was there first in line? It was Premier Dalton McGuinty, to establish the two of them not only as close colleagues but to understand the deep respect we have grown to have for the CAW. I challenge the members of the opposition; I challenge them to ask that very leader if they feel that the Ontario government has been supportive of them.

**Mr. Howard Hampton:** If the McGuinty government calls the layoff of tens of thousands of auto workers—unprecedented in the history of Ontario—a success, then I would hate to see how they measure failure.

But my question was very simple: Will we see any members of the McGuinty government marching with the auto workers in Oshawa today? I suspect we can conclude: No.

The fact is, this government's handling of the present crisis in Ontario's manufacturing and resource sectors has many parallels with the Liberal government of Mitch Hepburn. The McGuinty government hands \$235 million to General Motors but doesn't get a production guarantee that the new hybrid-powered, fuel-efficient half-tonne will be built in Oshawa by Oshawa workers. This is a major setback.

My question is: Will any member of the McGuinty government march with the workers, or are you going to continue—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

1100

**Hon. Sandra Pupatello:** I find it a little bit strange that the leader of the third party wants to quote Senator David Croll, the member who actually came from Windsor, Ontario, and understood the automotive sector better than most people in the House even at that time. There are members of this Legislature who have stood up for automotive workers since day one, since their election to this very House. Since this government became one in 2003, there has not been a government that has been more behind these automotive workers than these members of the Legislature right here.

When I ask you today if you will stand up for the automotive workers, you haven't been standing up for these last five years, but this government has.



**Mr. Howard Hampton:** The McGuinty government wants people to believe that handing \$235 million to General Motors, and then watching General Motors break what it promised in a collective agreement and lay off thousands of workers, is somehow the McGuinty government's standing up for workers. Hogwash. Nonsense. No one would measure that as any kind of success.

The McGuinty government has bungled its own auto strategy. It has allowed General Motors to bully not only communities but workers.

My question is: What is the McGuinty government going to do to force General Motors to meet the very things it promised before it signed a collective agreement a few short weeks ago—keeping a product at the truck plant in Oshawa?

**Hon. Sandra Pupatello:** This is the very leader of the political party who was quoted, when talking about the CAW: "You can bash your head against a wall talking to these people. It's just not worth it." That's what the leader of the third party said when it came to talking about the CAW.

I just ask you: If you think that you're going to speak on behalf of the CAW, why is it that the very leader of the CAW doesn't agree with you? Why is it that Buzz Hargrove in fact stands together with Dalton McGuinty to make the automotive sector stronger? Why is it that the leader of the CAW has said, "There's not a leader in the free world who has delivered the way Dalton McGuinty has for our automotive sector"?

Thank goodness we wouldn't leave it to you, because if it was up to you, we would be marching at the back of the parade instead of at the front.

## AUTOMOTIVE INDUSTRY

**Mr. Howard Hampton:** To the Acting Premier again: The fact is, General Motors signed a collective agreement with the workers just last month. Before they signed that collective agreement, they said that the truck plant in Oshawa would continue to have a vehicle to produce into 2011. Despite General Motors getting \$235 million from the McGuinty government, despite what they said before signing the collective agreement, 2,600 workers at that truck plant are now being laid off. That's why they're marching today.

My question is this: Having bungled its negotiations with General Motors, when will the McGuinty government finally show some backbone and do something to force General Motors to at least meet the obligations and the promises they made before they signed the collective agreement?

**Hon. George Smitherman:** To the Minister of Economic Development and Trade.

**Hon. Sandra Pupatello:** I think, once again, I would like the member opposite to listen to the words of Buzz Hargrove. He purports to support and stand for automotive workers, and here's the one leader who has garnered more support from his own membership than anyone in the history of the CAW. He says, "The attacks of

Runciman and Hampton on Ontario's auto strategy are anything but informed. They're an attempt to make cheap political points at the expense of tens of thousands of hard-working auto workers in Ontario who quite rightly fear for their future." Buzz Hargrove says, "My members and I are deeply offended."

You go on and show up at that parade. What we know is, you're an offence to the CAW.

**Mr. Howard Hampton:** I gather that members of the McGuinty government think that the 2,600 workers are going to be marching today because they're happy about being laid off; they're happy that the McGuinty government gave General Motors \$235 million of the public's money and didn't get a product guarantee for the truck plant.

The fact is, this sets a very bad precedent. What will now stop Ford, which received \$100 million, from simply going back on its promises and laying off workers? What will stop Chrysler, which received close to \$100 million, from simply going back on their promise and laying off workers?

I ask again: When is the McGuinty government going to stand up to General Motors and say to them, "You must keep the promises you made before you signed the collective agreement"? When is the McGuinty government going to stand up for the workers and stop simply toeing the line for General Motors?

**Hon. Sandra Pupatello:** I think it's very clear. The people who are speaking on behalf of the CAW understand full well where this government has been for the automotive sector. I think it's very clear that General Motors themselves have said they may well be in a position to prepay that loan on the strategy that we signed with them. That's an acknowledgment by General Motors themselves.

What I do know is that we move forward our discussions, on practically a daily basis, with representatives of the auto workers. The very people who may be losing their jobs don't see the NDP as supportive of them. They only see that this Ontario government has been prepared to look out and say: "How do we bring future projects to this jurisdiction? How do we find ways, in the face of a challenge that is worldwide, to bring investment to Ontario?" The only government that has been on this aggressive path has been the Dalton McGuinty government. That is acknowledged by the leadership of the CAW. You, sir, do not speak for the auto workers in this country.

**Mr. Howard Hampton:** I've been to meet with the auto workers in Oshawa twice now outside GM headquarters. I haven't seen any members of the McGuinty government there. I haven't seen anyone there from the McGuinty government supporting those workers.

My question is this: New Democrats believe that government has an important role in trying to sustain manufacturing jobs in this province. Part of that role is that if you're going to hand out hundreds of millions of dollars to multinational corporations, you get product or job guarantees. The question that those auto workers are now asking is this: Is the McGuinty government going to do



anything to require General Motors to live up to the promise they made before they signed the collective agreement to maintain product and jobs at the Oshawa truck plant? Are you going to do anything at all?

**Hon. Sandra Papatello:** I do find it quite amazing that, perhaps in these last couple of weeks, all of a sudden you're supportive of government participation with the automotive sector. Where were you when our Minister of Finance tabled a budget with the most historic investment available for participation with our auto sector? How did you vote on those initiatives? You said no to the auto workers.

Where were you when we tabled those business initiatives to lower costs for business? The very initiatives that you suggest in this House we should be doing, you voted no to. But when the big camera is on you, you want to march over to Oshawa and stand behind the auto workers. I think it's time that you showed your true colours. You either support the automotive sector or you do not. I suggest that you have never supported the automotive sector, and it's apparent by your behaviour today.

#### GOVERNMENT SPENDING

**Mr. Robert W. Runciman:** My question is to the Deputy Premier. Minister, media reports today indicate that the Premier is opposed to federal legislation that ensures that taxpayers' money is not used to finance the production of films that are pornographic, excessively violent or denigrating to identifiable groups.

Minister, your government doesn't fund drugs approved by Health Canada for cancer victims; you've delisted chiropractic services, physiotherapy, eye exams, and on and on. But your Premier is quite prepared to spend limited tax dollars on films that most Ontarians would find offensive. Why is that and how do you justify that?

**Hon. George Smitherman:** On the matter of the supplementary, I'll be asking the Minister of Culture to comment, but the comments by the honourable member really are not appropriate to leave unaddressed. On a day when courageous individuals who work on the front lines of health care delivering enhanced capacity to support people in our province with cancer—for you to talk up and make a suggestion that back in the day when you were in charge, every drug that Health Canada approved you automatically put on the formulary is phooey.

Since the amendments that we've made to drugs alone, 14 additional cancer drugs have been funded in our province. We've made investments all across the health care landscape. The honourable member's suggestions are to play one thing off against another. I want to see this honourable member stand up in his place, talk about health care and acknowledge that it is his party's plan to cut \$3 billion out of health care, rather than playing one group of Ontarians off against the other.

1110

**Ms. Lisa MacLeod:** Mr. Speaker, on a point of order: I ask the honourable member to withdraw that statement.

It is well known that only thing we wanted to cut out of health care was him.

**The Speaker (Hon. Steve Peters):** That's not a point of order.

**Mr. Robert W. Runciman:** That's cheap theatrics, with a dose of dishonesty tossed in.

The legislation in question passed the House of Commons with the support of all parties, including the Liberal Party. Five provinces have similar constraints in their film tax credit programs with no problems. It's called spending public money responsibly, and that's a concept you're not very familiar with.

Minister, when you can't find the money to fund cancer drugs, to provide PET scans, to unclog emergency rooms, why are you prepared to pour scarce tax dollars into a pornographic, violent and derogatory film?

**Hon. George Smitherman:** The honourable member's assertion is incorrect on all points. First off, he says we haven't funded cancer drugs. We've tripled the funding for cancer drugs in the last five years and recently added 14 new cancer drugs. He says we can't find the resources to address emergency rooms, but we've funded \$109 million in the last two weeks to enhance our capacity to provide support for Ontarians who go in search of care to Ontario's emergency rooms.

It's unbelievable that the honourable member, who leads a party in this Legislature that holds firm to the position that they would eliminate the health premium and thereby eliminate \$3 billion in expenditure for health care, has a lot of audacity to stand in his place and pretend that this is the party that—

**Ms. Lisa MacLeod:** Mr. Speaker, on a point of order: For months now we have been listening to this false information from the minister that we would eliminate \$3 billion from—

**The Speaker (Hon. Steve Peters):** That is not a point of order, and I have ruled on that in the past.

**Ms. Lisa MacLeod:** He's not telling the truth.

**Hon. George Smitherman:** Mr. Speaker, on the same point of order: The honourable member knows that in estimates committee yesterday, I tabled a press release from the finance critic of that party indicating that—

**The Speaker (Hon. Steve Peters):** New question, leader of the third party.

*Interjections.*

**The Speaker (Hon. Steve Peters):** I know it's a Thursday and—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Member from Niagara West and the Minister of Health: If you want to have that discussion, take it outside, please. I know it's a Thursday. It's been a very warm week—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Excuse me. I'd just like some order in the House for a moment, please.

It's a Thursday. It's been a warm week. Everybody has worked hard, but let's end this week. We've got a lot of students here. Remember how we should be carrying ourselves in this chamber. We expect things of these



students in their schools. I think we should offer the same thing to them within this chamber. So I just ask members to tone it down a bit.

New question, the leader of the third party.

#### NORTHERN ONTARIO HERITAGE FUND

**Mr. Howard Hampton:** To the Minister of Northern Development and Mines: The northern Ontario heritage fund announced less funding in the eight months since the last election than it announced in the four days prior to the last election being called. Can the Minister of Northern Development and Mines tell us how that could be?

**Hon. Michael Gravelle:** We're very proud of the tremendous job creation opportunities that are brought about as a result of the Northern Ontario Heritage Fund Corp. We're particularly proud about the fact that our government has committed to increasing the heritage fund from a \$60-million-a-year fund to a \$100-million-a-year fund, and again confirmed in our budget.

**Mr. Michael A. Brown:** From the party that stole \$60 million from the heritage fund.

**Hon. Michael Gravelle:** Thank you very much for reminding me of that. From the party that indeed took money out of the heritage fund on their way out of office in 1995, it's an interesting question.

We're very proud of the investments that we've made since then. We've created and retained over 9,000 jobs as a result of the heritage fund. We've spent \$345 million in new investments in the north, creating jobs once again. We're very proud of how the heritage fund has performed and the difference it has made in terms of job creation in northern Ontario.

**Mr. Howard Hampton:** The minister talks about jobs. I think the only thing that people have experienced in northern Ontario is a loss of jobs.

What's interesting is that in the eight months prior to the election call last year, the McGuinty government announced \$105 million in heritage fund projects. In the week just prior to the election call, more than \$31 million was announced. In the eight months after the election, only \$29 million has been announced—more in the four days before the election was called than in the eight months since the election. Why is the minister continuing the tradition of the McGuinty government of banking the northern Ontario heritage fund money until just before an election?

**Hon. Michael Gravelle:** That is simply not true. The fact is that, as the member knows, we have a northern Ontario heritage fund board made up of individuals from all across the north who meet once every six weeks to try to make some decisions related to good projects that are moving forward. We were very, very pleased about the projects. Since I've become minister, we've had three or four meetings, some very good projects have been announced, and we're very proud of the funding that was done in the last government.

The fact is that over that four-year term of the McGuinty government, after we changed the criteria to allow the private sector to once again play a role in terms of job creation, with the heritage fund's help we created over \$300 million in new investments, and some 9,000 new jobs were created or retained. I'm extremely proud to be the minister leading the heritage fund and chairing it and I'm very proud of the Ontario government for increasing the amount of the heritage fund from \$60 million to \$100 million a year. We look forward to more important investments in northern Ontario.

#### BROWNFIELD SITES

**Mr. Charles Sousa:** My question is to the Minister of Municipal Affairs and Housing. In my riding of Mississauga South, we are blessed with a gem of a lakefront. It's where people live, businesses thrive, and it is famous for its beautiful lakefront. However, some of our lakefront is sitting empty and unused because it is in need of remediation. We have two huge brownfields on our lake-shore corridor. The former Imperial lands on Mississauga Road are 70 acres, and the site of the former Lakeview coal plant has 200 acres. Both sites are prime waterfront locations, and the people in Mississauga South don't want them to sit empty any longer.

I understand that the major hurdle in developing these and other brownfields in Ontario is one of liability. The companies that own such lands would prefer to leave them as is rather than assume the legal risks involved in developing them. Can the minister please inform the House and the people of Mississauga South of what he is doing to resolve the liability issue and facilitate the rehabilitation of these sites?

**Hon. Jim Watson:** A very good question. I thank the member for Mississauga South.

Reforms passed as part of the 2007 budget included legislative changes that make Ontario the leading jurisdiction in Canada when it comes to addressing liability and regulatory issues with respect to brownfield redevelopment. We're proud of those changes that were brought forward. Let me just give the member a couple of examples of those regulatory and liability changes.

We've increased protection for municipalities from civil suits when they approve plans or issue building permits based on inaccurate information in a record of site condition, allowed the province to take steps to ensure adequate protection of the health and safety of the public on abandoned properties, and increased liability protection provided to property owners who redevelop a brownfield site.

Ontario is a leader when it comes to brownfield redevelopment. We were recognized by the Canadian Urban Institute and will continue to do what we can as a government to ensure that we rehabilitate these brownfield sites for the betterment of all Ontario.

**Mr. Charles Sousa:** Minister, as you know, Mississauga is preparing for intensification, which will bring more residents and businesses to our city. This means



there will be a need to redevelop some residential neighbourhoods, but accommodating intensification could be made much easier if our brownfields, especially on the lakefront, could be put to better use.

This strategy is in keeping with smart growth. For example, the Lakeview visioning project has proposed that the Lakeview site be redeveloped to accommodate a new mix of residential and business, with a boardwalk area on the lake. In addition, proposals abound for projects like a new stadium, an aquarium, or even a university campus. At the Imperial Oil site, residents have high hopes of building recreational and commercial facilities.

The residents and developers are excited about these proposals and want to get started on them as soon as possible. In addition to their aesthetic benefits, these developments would also be a major economic boost to the riding. But as long as these lands sit unremediated, none of these areas and ideas can become a reality.

Minister, can you—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

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**Hon. Jim Watson:** I'd like to tell the member that where there's a will, there's a way. I know that Mayor Hazel McCallion, who's a good friend of the member from Mississauga South, is very determined to deal with a number of these brownfield sites. So I will assure the member that I will continue to work with him, Mayor McCallion and the city of Mississauga.

Our ministry is making it easier for cities, developers and environmental leaders to redevelop brownfield sites. Recent changes to the Municipal Act put municipalities in a better position to deal with abandoned brownfield properties. We've removed crown liens and introduced greater flexibility in the tax sale process. Our government's brownfields financial tax incentive program continues to provide tax assistance to landowners in order to encourage environmental rehabilitation, and we have streamlined the administration of this program, making the regional offices of municipal affairs and housing the key points of conduct for program approval. So I can give the member my assurance that we will work with him to get the job—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

## TOURISM

**Mr. Ted Arnott:** My question is for the Minister of Tourism. Yesterday, my friend the member for Simcoe North informed this House that North Bay city council is supporting John Tory's idea to suspend the retail sales tax on attractions and accommodations this summer. This would provide an immediate boost for tourism in its time of need to avert a summer of discontent. Thousands of jobs in communities across Ontario are at stake.

Today, I spoke with Doug Reynolds, the executive director of NOTO, Northern Ontario Tourist Outfitters.

He said that this should be a non-partisan issue and that our tax break proposal makes a lot of sense.

Yesterday, the minister dismissed the considered opinion of the duly elected council of the city of North Bay. Today, is the minister going to dismiss NOTO's views as well?

**Hon. Peter Fonseca:** I thank the member for Wellington-Halton Hills for the question. I ask often about good ideas and ask our ministry staff and everybody in the ministry if we've gotten any calls on this proposal, this poor band-aid solution by the Tories and John Tory: zero emails, zero letters, zero phone calls. It's gotten almost zero support from all our partners in tourism.

Where we've had great success in tourism has been with our marketing campaign, "There's no place like this." That campaign has really bolstered tourism within Ontario, which is 80% of our tourism market. The Tories would like to scrap that campaign. So where we've had success, where our partners are telling us that we're doing the right things, that we're moving in the right direction, the Tories have decided that that is not the—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Ted Arnott:** The minister is completely out of touch. Yesterday, in reply to the member for Simcoe North, the minister said that the opposition voted against the government's budget. To that, I say it's our job to oppose your broken promises, your high taxes, your out-of-control spending, your questionable priorities, your slush funds and your cuts to the Ministry of Tourism.

It's unfortunate that some Liberal MPPs whose ridings are dependent on tourism are apparently not even speaking up to support it. For example, a quick search of Hansard shows that the member for Thunder Bay-Atikokan hasn't even mentioned the word "tourism" in this House in the past year. When will this minister start listening to NOTO, to the city of North Bay, to the tourism industry which has expressed their support for this initiative, and to anyone outside of the Premier's office?

**Hon. Peter Fonseca:** We are listening to our partners in tourism, in all the regions across Ontario. Ontario is a wonderful, four-season destination for tourism.

The member fails to mention that last fall we had an economic stimulus package from the Minister of Finance, a \$30-million injection into tourism. That party—those parties—voted against it. In our budget bill—again, \$92 million over the next five years in tax measures, in initiatives to be able to help the tourism sector: That party voted against it.

What we are doing is making sure that we have a comprehensive strategy working in lockstep with our partners in tourism to make sure that the tourism sector is strong, viable, and sustainable, today and well into the future.

## CHILD CARE

**Ms. Andrea Horwath:** My question is to the Deputy Premier. Today the Canadian Labour Congress released a



report card to rate federal and provincial progress on quality, affordable, accessible child care. How does the Deputy Premier explain the McGuinty government's D grade for child care, the second-poorest rating in all of Canada?

**Hon. George Smitherman:** I do think that the rating will provide interesting analyses for individuals, but I think everybody would agree that if the federal New Democrats had not killed a government in Ottawa that believed in national child care, all provinces would have been substantially advanced. We always find it passing strange that the party in the Legislature here can conjure up such a sense of excitement about daycare, but when there was an opportunity to build on the strength of national programs and to create a national child care program, they decided that their political interests were more important, that it was more important to get Olivia Chow into the House of Commons than it was for the people of Canada to have a national child care plan.

Notwithstanding that blow, we've created 22,000 additional quality spaces. We think it's important that we continue to build on these sorts of capacities. It would be nice if their actions met their words.

**Ms. Andrea Horwath:** The Deputy Premier would know very well that the only reason there was a child care plan for the federal Liberals was because Jack Layton put it there. The reality is that the federal Liberals are propping up a government that refuses to fund child care. What's his excuse for that?

The reality, and every child care advocate knows it, is that 75% of mothers are in the workforce right now, but there are only enough regulated spaces for about 12% of children in Ontario.

The McGuinty government is advertising spaces right now—they're sending out flyers with spaces and subsidies being advertised—yet everyone knows that the waiting list for those subsidies and spaces is about one to two years. I have to ask the government, why such poor grades and why the false advertising in terms of subsidy availability?

**Hon. George Smitherman:** I want to thank the honourable member for her acknowledgment about the expansion of child care programs that is ongoing in Ontario, a part of 22,000 new spaces that are being built, 2,090 of them in the communities of Hamilton and Niagara, where the member comes from.

But I found it curious that the honourable member, who claimed credit for Jack Layton, then went on to basically acknowledge the story that, after he pushed for it, he decided to take the actions to kill it. We know that those party members sign a joint federal and provincial card. Why is it that they bring this tone to the Legislature of Ontario, but when they stand up in the House of Commons, they act to kill national child care? This is the legacy of that party. Notwithstanding that, we've been working to enhance the capacity for Ontarians to access these crucial services.

We're proud of the progress that we've made. We acknowledge that there are opportunities to continue to

make improvements. It would be nice if their actions were the same as their words.

## CLIMATE CHANGE

**Mr. Bob Delaney:** My question is for the Minister of Natural Resources. Ontario's climate change plan includes a wide array of initiatives, including the phasing out of coal-fired generation and developing renewable sources of energy, as well as investing in public transit. Trees are also an important component as forests are home to a wide range of biodiversity. Planting trees can assist us in mitigating the effects of climate change.

Having large forested areas and planting trees throughout the province is vital to the health of Ontarians. In southern Ontario, forested areas can be hard to come by due to the lack of foresight in past development practices. To the minister: How does the government's plan to fight climate change address the importance of planting more trees in southern Ontario?

**Hon. Donna H. Cansfield:** I thank the member for the question. We have a very aggressive program in place to plant 50 million trees by 2020. I think it's difficult at times to recognize exactly what that might mean, but by 2054 it would mean that the carbon dioxide in the air would be reduced by 172 million car trips between Toronto and Barrie.

I sent a note to every member of this House to help them get involved in Trees Ontario planting and the rural Ontario tree program through the Ontario stewardship program. I encourage each and every one of them to help make a difference as we move forward with this very aggressive tree-planting program. You're right: It can make a difference for the air we breathe, a habitat for a species that might be at risk, and also provide the shade and the energy savings for our homes. I encourage everyone to get involved. You can go to the Ontario "Plant a Tree" website..

**Mr. Bob Delaney:** The minister mentioned trees being planted in rural regions of southern Ontario, which is great, but I need to ask about urban areas. Urban areas are indeed hot spots for greenhouse gas emissions. This makes cities more susceptible to smog and other pollutants, and this is particularly evident now as the hot weather approaches. Many Ontarians living in urban environments feel that the green space in cities is hard to find. Would the minister describe any initiatives that the ministry has outlined and whether they specifically target urban centres?

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**Hon. Donna H. Cansfield:** Absolutely. We have Trees Ontario in the rural, and we have Evergreen in the urban. We plan to plant 100,000 trees in 2008-09, and, of course, involving the community. You can get hold of Evergreen, and they will help you in terms of planting some of those trees.

Without question, we know that if we are to make a difference, each of us has to take some responsibility. Encouraging changing, for example, the concrete jungles



that we have around some of our schools and ensuring that they become more natural landscape, and going back to our Carolinian forest and planting native trees, can make a huge difference. What we're doing is encouraging everyone to get involved. So in rural Ontario, it's Trees Ontario; in urban Ontario, it's Evergreen. I ask each and every one of you to do your part to make Ontario a little greener in the future than it was in the past.

**The Speaker (Hon. Steve Peters):** New question? The member from Lanark-Frontenac-Lennox and Addington.

**Mr. Randy Hillier:** My question was to go to the Minister of Small Business, but after watching the behaviour of the other side today, I choose not to ask a question of this House. There will be no intelligent response.

### HEALTH CARE FUNDING

**M<sup>me</sup> France Gélinas:** Ma question est pour le ministre de la Santé et des Soins de longue durée. In the ongoing negotiation with the OMA, will the minister agree to support a 100% salaried model for physicians working in community health centres and aboriginal health access centres so that Ontarians' access to community-based primary care is not undermined?

**Hon. George Smitherman:** I think it would be highly suspect for me to be leading negotiations with the Ontario Medical Association from the floor of the Legislature. As I had a chance in the estimates committee to identify to the honourable member, we're very proud of the expansion that we've made of community-based models and interdisciplinary approaches, which sees Ontario leading in the reform of primary care delivery across the country.

On the specific matter at hand, it would be inappropriate to comment further, given that we are in negotiations at present with the Ontario Medical Association.

**M<sup>me</sup> France Gélinas:** The minister knows that CHCs and AHACs are concerned. CHC and AHAC physicians deliver some of the most complex and demanding primary care to the most vulnerable populations and patients. The incentive introduced in the 2004 OMA agreement is tearing the CHC and AHACs health care teams apart and eroding the collaborative care that they deliver.

An independent OMA poll survey showed that 98% of CHC and AHAC physicians want to be paid on salary. In the ongoing negotiations between the OMA and the Ministry of Health, the physicians from CHCs and AHACs are asking for your support. Will you support a 100% salaried model for physicians?

**Hon. George Smitherman:** I understand where the honourable member is coming from, and I think the principles are very good. We had a good exchange on this matter in the estimates process, but I don't think it really is appropriate for me to be taking an issue with respect to something that is being negotiated in the con-

text of our ongoing discussions with the Ontario Medical Association.

Of course, they're part of a section within the Ontario Medical Association. They've been making their views known as well to the OMA side in these discussions. I think we have a really fantastic group from both sides who are working on an agreement which can build on the progress that we made in the last agreement, which resulted in 650,000 more Ontarians enjoying access to family health care. We'll look for progress to occur at the table but not speak more specifically to any matter that is currently a subject of negotiation.

### TOURISM

**Mr. Phil McNeely:** Recently, the state of Canada's tourism industry has been featured in headlines on a national scale. With gas prices soaring, the parity of the US and Canadian dollar, and confusion regarding identification and security requirements for crossing the border between Canada and the United States, it seems that the tourism industry is entering into a summer of economic uncertainty. I know that in Ottawa, tourism is a strong economic contributor during this time of year.

To the Minister of Tourism: How is the McGuinty government working with our partners in the tourism industry to ensure that the upcoming summer months are prosperous?

**Hon. Peter Fonseca:** I want to thank the member for Ottawa-Orléans. He's quite right, as usual: The issues facing the tourism industry are apparent across the country, not only here in Ontario.

The McGuinty government recognizes that this industry is such a strong economic driver in so many areas across our province. That's why we're implementing a long-term strategy to address these challenges. In 2007, we announced \$30 million in funding to enhance our successful marketing and promotional campaigns, like the "There's no place like this" campaign. Just weeks ago, we voted to approve a budget that is going to provide investments and tax measures totalling \$92 million to the tourism sector over the next five years. These investments are a vital step in accessing Ontario's share of what is a huge global tourism market.

**Mr. Phil McNeely:** The government has made investments in the tourism sector that will help promote Ontario and even address the issue of dwindling visitors from the US.

Minister, you made mention of Ontario's current marketing campaign. Recently, the Leader of the Opposition said that this campaign is a waste of money and that it's time for the McGuinty government to stop "misusing taxpayers' money for feel-good ads that don't fill a single motel bed or put a bum in a theatre seat anywhere."

I wonder if the minister would tell us if there's any reason to believe that these ads are making a difference in Ontario's tourism numbers.

**Hon. Peter Fonseca:** They are make a huge difference. The "There's no place like this" ad campaign,



which was launched in March through June 2007 to have Ontarians travel within Ontario—we just got the numbers back from Statistics Canada. In their report, they said that Ontario saw an increase in domestic travel of 5% over that period. That means 21 million visits. Also, Ontarians are spending more money within the province. We saw an increase in that period of 3.7% over the previous year. That's \$2.3 billion to our economy. And from April to June 2007, Ontarians made more overnight trips—an increase of 6.2%—and they spent \$1.4 billion on those trips. That is a great success.

### PESTICIDES

**Ms. Laurie Scott:** My question is to the Minister of the Environment. It has to do with Bill 64, a bill that makes for good headlines but is not science-based. On Monday, during committee meetings on this bill, we heard presentations claiming that products like 2,4-D are harmful. Government members opposite agreed. It's interesting that over one year ago, Industry Task Force II wrote to your ministry asking if the province took issue with 2,4-D. Your own ministry responded by saying that the decisions on this matter remain with the federal Pest Management Regulatory Agency. This government's very own pesticide advisory committee also responded by saying that there was no need for additional restrictions on this product.

Minister, over the course of a year, who have you spoken to who has convinced you that you should abandoned science-based risk assessment and risk management protocol in this matter?

**Hon. John Gerretsen:** First of all, I look forward to that party's voting in favour of Bill 64, because it's all about unacceptable health risks to children. That's what the bill is really all about. We want to make sure that those children who play in their front yards, who play in their backyards, at the playgrounds and in parks etc., are not subject to an unacceptable risk. That's what it's all about.

As the member well knows, at the same time that we came out with the bill, we came out with about 80 different ingredients and about 300 different products, which are on a list right now and are going to be looked at. We're going to have consultation on this to determine exactly what should be in the regulations. It may very well be that some of the products and ingredients that are listed there may be taken off or put on the list, but I can assure you that the entire bill and the entire regulatory process will be science-based.

**Ms. Laurie Scott:** I've been watching very closely to make sure that it is science-based. On Monday, in committee, I asked your members if the Ontario Pesticides Advisory Committee, OPAC, had been consulted on the drafting of the legislation. One of your colleagues said that she couldn't answer the question, but a few minutes later, your own parliamentary assistant said, "My understanding is, the group was consulted with three times during the preparation of the proposed bill."

Given that your own parliamentary assistant couldn't confirm whether or not OPAC had been consulted, why didn't you call on OPAC to testify, or are you choosing to ignore the scientific evidence that OPAC has suggested? I have their letter right here for you.

1140

**Hon. John Gerretsen:** I can tell you that I've met with the chair of the committee. We intend to involve the committee, through its regulatory process, entirely. We have great faith in the pesticides committee that's been set up. I can assure you that the work that will be done by the committee and the ministry with respect to the 80 different ingredients and the 300 different products that are out there right now in the regulatory framework of things will be based on a scientific basis. We want to make sure that at the end of the day we have a piece of legislation and we have protection for children out there to a much greater extent than currently exists. We believe in what we're doing, and we look forward to the support of both that party and the third party in the passage of this bill as soon as possible.

### NORTHERN HEALTH TRAVEL GRANT

**Mr. Gilles Bisson:** My question is to the Minister of Health and Long-Term Care. Minister, you will know that there are a number of communities where people are having to undergo life-sustaining treatment such as dialysis, radiation therapy or chemotherapy. One such community is Hearst. We have people who are having to travel three times per week to get dialysis services because it's not offered in their home community.

My question to you is simply this: Are you prepared to work with myself, Hôpital Notre-Dame and others to find a way to allow the northern travel grant to pay somebody travelling for these types of treatments when they're just under the 100-kilometre limit that's set out currently in regulation?

**Hon. George Smitherman:** I want to thank the honourable member for the question. I'll address two parts of it, both chronic kidney disease and also the northern health travel grant.

Just last year, we made very substantive improvements to the northern health travel grant, extending by \$10 million or \$15 million a year the support that's on offer to residents of northern Ontario. We know that it is a very vital lifeline. I'll look at the very specific question that the honourable member asked.

In addition, I want the honourable member to know that under active development at the moment is a chronic kidney disease initiative which also ought to enhance our capacity to provide nocturnal dialysis, as one example, right in the home community. This is something the honourable member from Sudbury has been championing very vigorously, amongst others, and I hope that the combination of these two efforts might allow us to make some progress.

We can understand that it's a big hardship for people to have to make that trip, and I'll try to work with the honourable member to make improvements.



**Mr. Gilles Bisson:** I recognize the work we're doing in trying to bring dialysis services to communities. In fact, Hôpital Notre-Dame, the mayor of Hearst, Roger Sigouin, myself and others have been working towards that in co-operation with the LHIN and the Ministry of Health. But the specific problem is that until we get there, we've got people who have to travel—and it happens to be that Hearst, like other communities, is just under the 100-kilometre number that you need to qualify for a travel grant. In the case of Hearst, they're 98 kilometres, but because they're 98 kilometres, the individuals who have to travel to Kapuskasing for dialysis treatment can't get their travel grants approved.

So I ask again—and I think I got a partial answer earlier: Will you work with us to ensure that we can get these patients to qualify for the travel grant in those types of situations?

**Hon. George Smitherman:** I think it's important that I acknowledge the issue but not make up policy on the fly. If the 100 number is reduced to 95, then someone who's at 93 asks, "Why not 90?" I think that any time you have a number, it's going to create some difficulties.

But I understand the matter at hand. It's a substantive matter for those individuals who, three, four times a week, are in need of these services. That's disruptive enough when it's in your local community, much less that you have to make the distance. That's why we're opening more satellite dialysis and looking at nocturnal options.

I will take a look at the underlying issue of the northern health travel grant and endeavour to get back to not just this member but all members who represent northern Ontario.

#### WORKPLACE SAFETY

**Mr. Bas Balkissoon:** My question is to the Minister of Labour. Every year, about a quarter of a million workers are injured in this province. These hard-working Ontarians are fathers, mothers, uncles, aunts, brothers and sisters and sons and daughters who deserve to go home safe and sound to their families at the end of each shift. Minister, can you tell us about what our government is doing to improve the health and safety of workers not only in my riding of Scarborough–Rouge River but across the entire province?

**Hon. Brad Duguid:** I'd like to thank the member for Scarborough–Rouge River for his work with injured workers in his community. I know how passionately he feels about injured workers in his community and across the province.

Yes, indeed, yesterday I had the privilege of announcing our Safe at Work Ontario plan, which is our plan to enforce the Occupational Health and Safety Act. This plan builds on what was a very successful four-year strategy brought in by this government to target the bad actors in workplace health and safety as best we could, and it did have good results. We saw a 20% reduction in workplace injuries—significant. That's 50,000 people,

50,000 families, that did not have to suffer the pain and suffering of a workplace injury. That's \$5 billion in costs that our business community did not have to incur. That's significant. It's great success, but we've built on that success.

**Mr. Bas Balkissoon:** I want to thank the minister for that information and to commend the Ministry of Labour for the work they're doing to ensure that Ontario workers are safe at work. Minister, can you tell us more about this new program and what the ministry is doing to build a strong health and safety culture throughout Ontario's workplaces?

**Hon. Brad Duguid:** I was honoured yesterday to be able to announce our safe-at-work strategy. This strategy focuses on workplaces with higher-than-average lost-time injury rates and claim costs, but it focuses on a number of other items as well, which is very, very important, because we listened to our stakeholders—our employer stakeholders, our labour stakeholders and advocates for injured workers. We listened very carefully to what they had to say, and they wanted us to broaden the factors that we take into consideration when we target those workplaces.

We're considering the history of compliance with health and safety regulations. We're considering hazards inherent to the work itself. We're considering the length of time businesses have been operating. We're considering the size of the businesses. We're considering the incidents, such as critical or fatal injuries, and I know that this is very important to all of us here in this Legislature. We're considering the presence of—

**The Speaker (Hon. Steve Peters):** Thank you.

#### MENTAL HEALTH AND ADDICTION SERVICES

**Mrs. Christine Elliott:** My question is for the Deputy Premier. This year's Ontario budget noted, "The government will be developing a comprehensive mental health and addictions strategy," but did not mention any timelines or any funding for it. I'm disappointed to see that nothing seems to have been happening today. Deputy Premier, can you please advise us when you intend to start developing a comprehensive mental health and addiction strategy for Ontario?

**Hon. George Smitherman:** If the honourable member wants to be disappointed, she should look at the history of her party with respect to helping people with mental illness in the province of Ontario. Including during the time when the predecessor member from her very riding was the Minister of Finance, including at the time when the deputy leader of their party was the Minister of Health, community-based mental health services in Ontario received not one single penny for growth.

In the time since our government has come to office, we've increased the support by tens of millions of dollars. She talks about addiction; she misses that two days ago in Ottawa we announced the expansion of youth treatment drug capacity, and more announcements are

forthcoming. If the honourable member wants to come and join in the debate at estimates, I'll be very happy to give her much more information about what we've done and about what she didn't do.

## PETITIONS

### LORD'S PRAYER

**Mr. Frank Klees:** I want to present a petition that bears the names of more than 2,500 members of the Greek Orthodox community across Ontario. They were collected and sent to me by His Eminence Metropolitan Archbishop Sotirios, Primate of the Greek Orthodox Church in Canada. It reads as follows:

"Petition to the Legislative Assembly of Ontario:

"Whereas Premier Dalton McGuinty has called on the Parliament of Ontario to consider removing the Lord's Prayer from its daily proceedings; and

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe; and

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"We, the undersigned, petition the Parliament of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

I'm pleased to affix my signature to this petition, and we trust that the Legislature will do as petitioned.

1150

### HOSPITAL SERVICES

**M<sup>me</sup> France Gélinas:** I have a petition that goes as follows:

"Whereas the government-appointed supervisor of the Huronia District Hospital (HDH) has recommended a merger of HDH with the Penetanguishene General Hospital (PGH);

"Whereas the supervisor recommended changes to the governance of the hospital to eliminate community memberships and the democratic selection and governance of the hospital board and directors based on an ideology and not on the wishes of the community;

"Whereas the supervisor has also recommended the splitting up and divestment of the mental health centre in Penetanguishene, creating uncertainty in the future of mental health beds and services; and

"Whereas hospital mergers and restructuring under the local health integration network can result in a loss in the total number of hospital beds and services provided to a community...."

They ask the assembly,

"Protect the current levels of beds and services at all the sites in Midland and Penetanguishene; and

"Protect the community memberships and the democratic governance at the new hospital created by the merger of HDH and PGH."

I support this petition, will affix my name to it and send it with page Ellen.

### LORD'S PRAYER

**Mr. Jeff Leal:** I have a petition today—literally hundreds of names.

"To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its place at the beginning of daily proceedings in the Ontario Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message of forgiveness and the avoidance of evil is universal to the human condition; it is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

### LORD'S PRAYER

**Mrs. Elizabeth Witmer:** I'm pleased to present a petition from the Polish community at home given to me by Dr. Andrew W. Caruk.

"Whereas Premier Dalton McGuinty has called on the Ontario Legislature to consider removing the Lord's Prayer from its daily proceedings; and

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe; and

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"Therefore we, the undersigned, petition the Parliament of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

I'm pleased to sign this petition along with the 300 others.

### HOSPITAL FUNDING

**Mr. Bob Delaney:** I have a petition to the Ontario Legislative Assembly. I thank many of the staff at Credit Valley Hospital for having sent it to me. It reads as follows:

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital



project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I'm pleased to sign and support this petition and to ask page Taylor to carry it for me.

#### LORD'S PRAYER

**Mr. Jim Wilson:** "Whereas Premier Dalton McGuinty has called on the Ontario Legislature to consider removing the Lord's Prayer from its daily proceedings; and

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe; and

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"We, the undersigned, petition the Legislative Assembly of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

I agree with this petition and I've signed it.

#### HARBORD COLLEGIATE

**Mr. Rosario Marchese:** "Whereas the Toronto District School Board has decided to close the MID program at Harbord Collegiate and relocate the students outside of their community; and

"Whereas the students have benefited greatly from the program and the involvement in their community;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Education intercede on behalf of the MID students at Harbord Collegiate to keep the program open."

I support this petition.

#### HOSPITAL FUNDING

**Mr. Joe Dickson:** "To the Legislative Assembly of Ontario:

"Whereas the Central East Local Health Integration Network ... board of directors has approved the Rouge Valley Health System's deficit elimination plan.... ; and

"Whereas, despite the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a project that could reach \$100 million, of which 90% is funded by the Ontario government, this plan now calls for the ill-advised transfer of 20 mental health unit beds from Ajax-Pickering hospital to the Centenary health centre in Scarborough; and

"Whereas one of the factors for the successful treatment of patients in the mental health unit is support from family and friends, and the distance to Centenary health centre would negatively impact on the quality of care for residents of Ajax and Pickering; and

"Whereas it is also imperative for Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding;

"Therefore, we, the undersigned, therefore petition the Legislative Assembly of Ontario as follows:

"That the Rouge Valley Health System continue to provide the current level of service to our Ajax-Pickering hospital, which now serves the fastest-growing communities of west Durham; and

"That the Ajax-Pickering hospital retain the badly needed 20-bed mental health unit."

I shall affix my signature to this and pass it to Ellen.

#### LORD'S PRAYER

**Mrs. Joyce Savoline:** "To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its place at the beginning of daily proceedings in the Legislature.... ;

"Therefore we, the undersigned, respectfully petition the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I agree with this petition. I affix my name thereto and give it to page Alie.

#### ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

**Mr. Mike Colle:** I have a much shorter petition here from Sol Mednick and the members of the Forest Hill Lions Club in support of animal protection. It says:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Society for the Prevention of Cruelty to Animals Act has not been updated since 1919;

"Whereas Bill 50 would require all veterinarians to report suspected abuse and neglect, protecting veterinarians from liability;

"Whereas it would allow the OSPCA to inspect and investigate places where animals are kept;

"Whereas the bill would prohibit the training of animals to fight;

"Whereas Bill 50 would allow the OSPCA to inspect roadside zoos;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 50, entitled the Provincial Animal Welfare Act, 2008, to protect our animal friends."

I support this petition and give it to page Aaron.

### LORD'S PRAYER

**Mr. Norm Miller:** I have hundreds of petitions here from the Powassan and Nipissing area to preserve the Lord's Prayer. It reads:

"To the Legislative Assembly of Ontario:

"Whereas Premier Dalton McGuinty has called on the Ontario Legislature to consider removing the Lord's Prayer from its daily proceedings; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message is one of forgiveness, of providing for those in need of their 'daily bread' and of preserving us from the evils we may fall into; it is a valuable guide and lesson for a chamber that is too often an arena of conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I support this petition.

### HOSPITAL FUNDING

**Mr. Bob Delaney:** I have another petition, signed by many people in my neighbourhood in western Mississauga, in support of the western Mississauga ambulatory surgery centre. It reads:

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-

Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I am pleased to sign and support this petition, and to again ask page Megan to carry it for me.

1200

### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Ms. Sylvia Jones:** "To the Legislative Assembly of Ontario:

"Whereas many young people with developmental special needs have no meaningful social, recreational or vocational opportunities after high school; and

"Whereas many of these young people have no real options for living independently in the community; and

"Whereas current supports in place are insufficient to meet the needs of these young people;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government allocate an appropriate level of funding to advance a transformation agenda of individualized funding for adults with developmental special needs in the province of Ontario to allow them to live with dignity and to reach their full potential as members of our communities."

I fully support this petition.

### ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

**Mr. Reza Moridi:** "Support Bill 50, the Provincial Animal Welfare Act

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Society for the Prevention of Cruelty to Animals Act has not been updated since 1919;

"Whereas Bill 50 would require all veterinarians to report suspected abuse and neglect, protecting veterinarians from liability;

"Whereas it would allow the OSPCA to inspect and investigate places where animals are kept;

"Whereas the bill would prohibit the training of animals to fight;

"Whereas Bill 50 would allow the OSPCA to inspect roadside zoos;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 50, entitled the Provincial Animal Welfare Act, 2008, to protect our animal friends."

I sign this petition and pass it on to page Taylor.

### LORD'S PRAYER

**Mr. Tim Hudak:** In the interests of time, I'll be brief. I want to present a petition to preserve the traditional Lord's Prayer in the Legislature, sponsored by St. Ann's parish in Fenwick. It says:



"We, the undersigned, petition the Legislative Assembly of Ontario to continue its long-standing practice using the Lord's Prayer as part of its daily proceedings."

I affix my signature in support.

#### LORD'S PRAYER

**Ms. Lisa MacLeod:** This is a petition that thousands of Nepean-Carletonites have signed, and I have 503 total signatures again today.

"Whereas the" Premier "has called on the Ontario Legislature to consider removing the Lord's Prayer from its daily proceedings;

"Whereas the Lord's Prayer has been an integral part of our parliamentary heritage that was first established in 1793 under Lieutenant Governor John Graves Simcoe;

"Whereas the Lord's Prayer is today a significant part of the religious heritage of millions of Ontarians of culturally diverse backgrounds;

"Therefore we, the undersigned, petition the Parliament of Ontario to continue its long-standing practice of using the Lord's Prayer as part of its daily proceedings."

I affix my signature because I am wholly in support of this petition.

**Mr. Ted Arnott:** Point of order, Mr. Speaker. I'd like to seek unanimous consent to extend the time for petitions three extra minutes so as to allow everyone to present their petitions today.

**Interjections:** Agreed.

**Mr. Ted Arnott:** Thank you.

**The Speaker (Hon. Steve Peters):** Can the Speaker say no? Member from Oakville.

#### ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

**Mr. Kevin Daniel Flynn:** I've got a petition in support of Bill 50, the Provincial Animal Welfare Act.

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Society for the Prevention of Cruelty to Animals Act has not been updated since 1919;

"Whereas Bill 50 would require all veterinarians to report suspected abuse and neglect, protecting veterinarians from liability;

"Whereas it would allow the OSPCA to inspect and investigate places where animals are kept;

"Whereas the bill would prohibit the training of animals to fight;

"Whereas Bill 50 would allow the OSPCA to inspect roadside zoos;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 50, entitled the Provincial Animal Welfare Act, 2008, to protect our animal friends."

I agree with this and will be sending it down with page Alie.

#### LORD'S PRAYER

**Ms. Laurie Scott:** Mr. Speaker, I appreciate the extension of the time.

"To the Legislative Assembly of Ontario:

"Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its place at the beginning of daily proceedings in the Ontario Legislature; and

"Whereas the recitation of the Lord's Prayer has opened the Legislature every day since the 19th century; and

"Whereas the Lord's Prayer's message is one of forgiveness, of providing for those in need of their 'daily bread' and of preserving us from the evils that we may fall into; it is a valuable guide and lesson for a chamber that is too often an arena for conflict; and

"Whereas recognizing the diversity of the people of Ontario should be an inclusive process, not one which excludes traditions such as the Lord's Prayer;

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

This is signed by thousands of people from all the communities in my riding.

#### POPE JOHN PAUL II

**Mr. Bob Delaney:** Just to be a little different, I'm going to present this petition to the Parliament of Ontario, signed by a large number of people in Mississauga in support of an initiative by my colleague from Newmarket-Aurora. It reads as follows:

"Whereas the legacy of Pope John Paul II reflects his lifelong commitment to international understanding, peace and the defence of equality and human rights;

"Whereas his legacy has an all-embracing meaning that is particularly relevant to Canada's multi-faith and multicultural traditions;

"Whereas, as one of the great spiritual leaders of contemporary times, Pope John Paul II visited Ontario during his pontificate of more than 25 years and, on his visits, was enthusiastically greeted by Ontario's diverse religious and cultural communities;

"Therefore we, the undersigned, petition the Parliament of Ontario to grant speedy passage into law of the private member's bill An Act to proclaim Pope John Paul II Day."

I'm pleased to sign this petition and to give it to page Damian to carry.

#### HUNTER SYNDROME

**Mr. Tim Hudak:** I'm pleased to present a petition signed by over 500 people in the Pelham community. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Andrew Lanese is a 10-year-old boy who suffers from MPS II, also known as Hunter syndrome,

which is an ultra-rare and life-threatening genetic disease. There is currently a drug called Elaprase that is designed to treat the underlying cause of Hunter syndrome by replacing the enzyme which is deficient or absent in people with Hunter syndrome. This is an enzyme replacement therapy (ERT) for the treatment of MPS II. There are currently many MPS II patients in the USA receiving and benefiting from Elaprase. Elaprase is not a cure for MPS II, but it provides physical benefits such as improved airway, increased energy, increased range of motion in joints and reduced liver and spleen size, just to name a few. Unfortunately, the annual cost of this drug is approximately \$500,000. Due to the huge cost, Andrew's family has no choice but to ask the province of Ontario to fund this drug for Andrew. Recently, Andrew and his family have been denied funding by the Ontario government to obtain this drug for Andrew, and therefore we are petitioning for the approval of funding of Elaprase for Andrew Lanese.

"We, the undersigned, petition the Legislative Assembly of Ontario to act now to provide funding for Elaprase for Andrew Lanese."

In support, I affix my signature.

**The Speaker (Hon. Steve Peters):** Thank you. The time for petitions has expired. This House stands recessed until 1 o'clock this afternoon.

*The House recessed from 1207 to 1300.*

## MEMBERS' STATEMENTS

### DISABILITY BENEFITS

**Ms. Sylvia Jones:** Later this afternoon, I plan to introduce a private member's bill entitled the Social Assistance Statute Law Amendment Act (Registered Disability Savings Plans), 2008.

In July 2006, federal Minister of Finance Jim Flaherty appointed the Expert Panel on Financial Security for Children with Severe Disabilities. The panel submitted its report, entitled *A New Beginning*, in December 2006. The report provided 16 recommendations, one of which was the establishment of the RDSP, a plan to assist parents, grandparents and other family members to save for the long-term financial security of children with disabilities. The RDSP was subsequently introduced in the 2007 federal budget.

The panel also recommended that the provinces should exempt the RDSP in the calculation of disability benefits to make the RDSP a more effective saving mechanism. At present, the provincial governments of British Columbia and Newfoundland have taken that step. To date, Ontario has failed to follow up on the panel's recommendations.

If the RDSP is not exempted as an asset when determining a person's eligibility for disability benefits, the benefit amount decreases. This removes the incentive for parents to make the investment in their child's long-term financial security.

The purpose of my private member's bill is to implement the panel's recommendation for Ontario by removing the RDSP as an asset when calculating disability benefits. I encourage all members to support this legislation when we debate it.

### CANADIAN CANCER SOCIETY

**Mr. Khalil Ramal:** Today is Cancer Care Ontario day at Queen's Park, and I rise to thank the Canadian Cancer Society for all they have done and continue to do, whether it is in cancer awareness education, fundraising for medical research or giving support to families and friends across Canada who are and have been affected by cancer. It is their mission to educate about cancer and enhance the quality of life for individuals living with the disease.

I am sure there is not a person in this Legislature who has not been touched by cancer in some way, which is an indication of how important the role of this organization is to Canadians. The volunteers and staff at the Canadian Cancer Society follow four important values: caring, courage, integrity and progressive. They show respect and empathy to all those affected by cancer; they have the courage every day to continue their mission to eradicate cancer; their organization is respected not only across Canada but worldwide for the work they do; and they have continued to progress as an organization with cutting-edge research, medicine and treatments.

I am honoured and privileged to stand today to speak in their support. We congratulate all the members who work at the Canadian Cancer Society for the job they do on behalf of all of us in this province.

### PHILIPPINES INDEPENDENCE DAY

**Mr. Peter Shurman:** It gives me great pleasure to speak in the Legislature today to mark the 110th anniversary of Philippine independence. Today, as Filipinos around the world mark this auspicious occasion, we celebrate the contributions that Filipino Canadians have made and continue to make to the development and prosperity of Canada and of Ontario. Their courage and their entrepreneurship and vision have helped make Ontario the great province it is today.

I had the opportunity to attend the Filipino flag-raising both outside today and last weekend in Vaughan in my riding, and it gave me a true sense of how people from all over the world are drawn to Canada, and in particular to Ontario.

On a personal note, I have had the opportunity to meet a number of Filipino Canadians over the past few years, and I know we shouldn't generalize, but all the Filipinos I know are remarkable and tremendously compassionate individuals. They are the type of people we should want to welcome to Ontario with open arms.

The story of Filipino immigration is a quintessentially Canadian story of newcomers leaving their homes in search of a new life for themselves and their families.



Such determination embodies the spirit of individualism. It is that spirit that we celebrate in the Progressive Conservative Party of Ontario. The values of our newcomers—hard work, individual integrity and achievement—are indeed the values of our party.

On behalf of the Progressive Conservative Party of Ontario, I wish all Filipino Canadians the very best. Mabuhay Philippines.

### COMMUNITY COLLEGES COLLECTIVE BARGAINING

**Mr. Rosario Marchese:** For 33 years, part-time college teachers have been denied the right to organize and collectively bargain as full-time college instructors. It has been a right that has been denied for a long, long time. In fact, the International Labour Organization said a couple of years ago that McGuinty ought to give this right and that they deserve to have the right to bargain collectively. The Supreme Court of Canada ruled in the same manner.

I had presented Bill 13 twice here, urging the Liberals to give this right to part-time college instructors to organize and collectively bargain. It took two long years to get the government to finally bring in Bill 90, and they did so under relentless pressure from people like Roger Couvrette, who is the president of OPSECAAT, and OPSEU president Warren Thomas. We congratulate their work because, without that political lobbying from Roger Couvrette and so many others, this government simply would not have listened.

Unfortunately, they've introduced some other measure that is going to affect our workers. They have eliminated the "deemed" provision, which will effectively allow scabs to work in a strike-out situation. We think that's unfortunate, and we'll hear more from that in the hearings that will be happening over the summer.

### PORTUGUESE CANADIAN COMMUNITY

**Mr. Charles Sousa:** I am pleased that June is Portuguese Heritage Month in Ontario. The Portuguese Canadian community is a vibrant community in Ontario and continues to make many significant contributions to our society. Portuguese Canadians have a rich history, language, culture and work ethic.

In fact one of the earliest discoverers of Canada, Gaspar Corte Real, was Portuguese. In the year 1500, he received a charter from King Manuel of Portugal to discover and claim jurisdiction over lands in the new world. He explored the northeast coast of Terra Nova, now known as Newfoundland, and then Conception Bay and Portugal Cove. He sailed up the coast and named it Labrador, which means "farmer" in Portuguese.

The year 2001 marked the 500th anniversary of the arrival of Portuguese explorers in Canada. For the past 500 years, people of Portuguese heritage have settled and made their homes in Canada. In June 2001, Ontario

proclaimed June 10 as Portugal Day and the month of June as Portuguese History and Heritage Month. This year's annual Portugal Day parade took place on June 8. The annual parade celebrates the strength, vitality and solidarity of the Portuguese community in Ontario.

Yesterday, we raised the Portuguese flag at Queen's Park. I'm sure I speak for everyone in this House when I say that we all appreciate the boundless pride that events such as this instill in the Portuguese community and the great benefits they bring to our province. I extend my sincere appreciation to all those whose vision and hard work make these celebrations possible, and I wish all Ontarians a happy Portugal Day.

### MANUFACTURING JOBS

**Mr. Ted Chudleigh:** I rise to make a very short statement today, purposely short, because I rise today to congratulate the Liberal government on an impressive feat. In four years, they have done the impossible: In a spectacular display of incompetence, the McGuinty government has doubled the manufacturing job losses that we witnessed during Bob Rae's reign of terror in the early 1990s—doubled the number of job losses.

Losses out of the NDP: 100,000. Losses out of the Liberals: 200,000. I never thought I would see the day. I never thought that this Minister of Economic Development would ever make Bob Rae look good. She's done the impossible; she made Bob Rae look good. Wow. Congratulations, Premier. Congratulations, Minister. You are now officially the worst economic leaders that this province has ever seen since the Great Depression.

### MISSION LEGACY AWARD

**Mr. Dave Levac:** I wish to recognize in the House today the recipients of the Mission Legacy Award in Brantford. This prestigious award, established by Sisters of St. Joseph of Hamilton, pays tribute to the key individuals who, through their dedication and compassion, have contributed in an exceptional manner to the health care ministry of the Sisters of St. Joseph of Hamilton; the St. Joseph's Lifecare Centre and Hospice in Brantford; and the St. Joseph's Health System and the St. Joseph's Resource Development System, joint organizations founded by the Sisters of St. Joseph.

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The Sisters of St. Joseph began its legacy in the 17th century in Le Puy, France, by Father Medaille and six women in reaction to the challenges of the gospel at the time. Their healing ministry included work in caring for the sick—working with them during plague outbreaks—the aged, the orphans and the imprisoned, instructing young women and ministering to the poor.

The recipients of the Mission Legacy Award continue to follow the beautiful tradition of the Sisters of St. Joseph by promoting and providing dignity and respect to the citizens of the riding of Brant in need. I wish to congratulate the exceptional individuals of this award,

not present here today, who serve as a leading example to all Ontarians. They are Bob and Jan Kennedy, Dr. Grant Honeyman, Dr. Jay Hill, Dr. Donald Swan, Father Emmanuel Demerah, J. Gordon McMillen, John Quinlan, Karl Kurtz, "Rocky" Rocheleau, Phyllis Rayner, Shirley Martin, Sister Anne Anderson, Sister Kathleen McKenna, Vince Bucci and Vyrt Sisson. We thank them for their unselfish contributions to our community.

### PLAY WORKS

**Mrs. Linda Jeffrey:** Last week I was invited to attend a presentation ceremony for the 2007 youth-friendly community recognition program, held by Play Works, the Ontario Partnership for Active Youth, which every year identifies and recognizes communities that are youth-friendly. Play Works began recognizing youth-friendly communities in 2005. Since that time, 25 communities in Ontario have received recognition.

This year, the city of Brampton, the city of Welland, the municipality of Port Hope, the town of Caledon and the town of Whitchurch-Stouffville were all welcomed into the select group of communities that have received the youth-friendly community recognition status. The Honourable Margaret Best, Minister of Health Promotion, was in attendance to present the plaques to each community. The city of Brampton representatives, including my former colleague city Councillor Sandra Hames, were in attendance, along with Donna-Lynn Rosa, Mary Held, Diane Butterworth, Andrew Stangherlin, Liz Van Eysinga and Tammy Reynolds.

It's my understanding that Play Works received over 440 applications for this recognition program. Five were chosen this year, exemplifying the best in communities who demonstrated leadership in creating new youth initiatives. Congratulations to those five communities who were identified as youth-friendly and to Play Works for their leadership in health promotion across Ontario.

### VOLUNTEER SERVICE AWARDS

**Mr. Vic Dhillon:** It is with great pride for the people in my riding that I rise today to tell the House about the Ontario Volunteer Service Awards and the recipients from my riding. With the awards being in their 23rd year, they are one way for the government to publicly thank the literally thousands of volunteers across Ontario for their tireless work and dedication to the community. These awards recognize youth who have volunteered for two or more years of continuous service to an organization, as well as adults who have put in five, 10, 20, 25, 30, 40, 60 and 60-plus years of continuous service.

I was quite proud to see that 33 of my constituents are recipients of a Volunteer Service Award from the province of Ontario. I would like to especially highlight the work of Eric Williams, who volunteers for Malton Black Development Association, and Joanne Watson and Margaret Collins from the 1st Brampton Trefoil Guild, who all received awards for 30 years of continuous service to their organizations.

The theme of this year's awards is Volunteers Build Communities. I think this is quite fitting, especially when you think of how volunteers build our communities from the ground up. They give their time and their energy to those around them. We need to recognize this and cultivate it so that others may emulate this in their actions. I congratulate my constituents and I say, keep up the good work.

### REPORT, CHIEF ELECTORAL OFFICER

**The Speaker (Hon. Steve Peters):** I beg to inform the House that today the Chief Electoral Officer tabled the following: the report on the 39th general election in the province of Ontario entitled Placing the Elector at the Centre of the Process, and the report on the provincial referendum on electoral system reform.

### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON GENERAL GOVERNMENT

**Mrs. Linda Jeffrey:** I beg leave to present a report from the Standing Committee on General Government and move its adoption.

**The Clerk-at-the-Table (Ms. Tonia Grannum):** Your committee begs to report the following bill without amendment:

Bill 69, An Act to protect children from second-hand tobacco smoke in motor vehicles by amending the Smoke-Free Ontario Act / *Projet de loi 69, Loi modifiant la Loi favorisant un Ontario sans fumée pour protéger les enfants contre le tabagisme passif dans les véhicules automobiles.*

**The Speaker (Hon. Steve Peters):** Shall the report be received and adopted? Agreed? Agreed.

*Report adopted.*

**The Speaker (Hon. Steve Peters):** The bill is therefore ordered for third reading.

### INTRODUCTION OF BILLS

#### SOCIAL ASSISTANCE STATUTE LAW AMENDMENT ACT (REGISTERED DISABILITY SAVINGS PLANS), 2008 LOI DE 2008 MODIFIANT DES LOIS EN CE QUI A TRAIT À L'AIDE SOCIALE (RÉGIMES ENREGISTRÉS D'ÉPARGNE-INVALIDITÉ)

Ms. Jones moved first reading of the following bill:

Bill 94, An Act to amend the Ontario Disability Support Program Act, 1997 and the Ontario Works Act, 1997 to take into account funds held in or withdrawn from registered disability savings plans / *Projet de loi 94,*



Loi modifiant la Loi de 1997 sur le Programme ontarien de soutien aux personnes handicapées et la Loi de 1997 sur le programme Ontario au travail pour tenir compte des fonds détenus dans des régimes enregistrés d'épargne-invalidité ou retirés de ceux-ci.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Ms. Sylvia Jones:** My bill would amend the Ontario Disability Support Program Act and the Ontario Works Act to exclude funds held in registered disability savings plans from the determination of assets. It also amends the acts to exclude funds withdrawn from a registered disability savings plan from the determination of income.

#### OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT

(SCENTED PRODUCTS), 2008

#### LOI DE 2008 MODIFIANT LA LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL (PRODUITS PARFUMÉS)

Mr. Levac moved first reading of the following bill:

Bill 95, An Act to amend the Occupational Health and Safety Act with respect to scented products in the workplace / Projet de loi 95, Loi modifiant la Loi sur la santé et la sécurité au travail à l'égard des produits parfumés dans le lieu de travail.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Mr. Dave Levac:** This bill, if passed, will require employers to prepare and review annually, in consultation with workers, written policies on the use of scented products in the workplace. It will also require that employers develop and maintain programs to implement the policies. As such, it encourages employers and employees to work out a fragrance strategy that promotes a safe and healthy workplace while recognizing people's desire to wear and use scented products, promoting workplace safety and personal freedoms at the same time.

#### REGISTERED RETIREMENT SAVINGS PROTECTION ACT, 2008

#### LOI DE 2008 SUR LA PROTECTION DES RÉGIMES ENREGISTRÉS D'ÉPARGNE EN VUE DE LA RETRAITE

Mr. Leal moved first reading of the following bill:

Bill 96, An Act respecting protection for registered retirement savings / Projet de loi 96, Loi visant à protéger les régimes d'épargne-retraite enregistrés.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Mr. Jeff Leal:** The purpose of the bill is to protect registered retirement savings plans and registered retirement income funds as well as deferred profit-sharing plans from most creditors. Those plans, however, will still be subject to support orders enforced under the Family Responsibility and Support Arrears Enforcement Act, 1996, and orders respecting the separation of property in family matters.

### MOTIONS

#### CHIEF ELECTORAL OFFICER

**Hon. Michael Bryant:** I seek unanimous consent to present a motion without notice regarding the Chief Electoral Officer.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Hon. Michael Bryant:** I move that an humble address be presented to the Lieutenant Governor in Council as follows:

"To the Honourable Lieutenant Governor in Council:

"We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly of the province of Ontario, now assembled, request the appointment of Greg Essensa as Chief Electoral Officer for the province of Ontario, as provided in section 4 of the Election Act, RSO 1990, c. E.6, to hold office under the terms and conditions of the said act,

"And that the address be engrossed and presented to the Honourable the Lieutenant Governor in Council by the Speaker."

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Agreed to.*

**The Speaker (Hon. Steve Peters):** I'd just like to take this opportunity to thank the members of the committee who worked so diligently on this appointment: Michael Prue, John O'Toole, Greg Sorbara, and as well Nancy Marling from human resources. Thank you.

### DEFERRED VOTES

#### PRAYER IN THE LEGISLATURE

**The Speaker (Hon. Steve Peters):** Mr. Bryant has moved that the Speaker commence each meeting day of the Assembly by reciting the Lord's Prayer, followed by another prayer, or the presentation of a verse or passage, or call for a moment of silent reflection, or any such other similar activity which, in the opinion of the Speaker, will serve to reflect over time the general demographic composition of this chamber and of the province of Ontario.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1323 to 1328.*

**The Speaker (Hon. Steve Peters):** All those in favour of the motion will rise one at a time and be recorded by the Clerk.

#### Ayes

Aggelonitis, Sophia  
Albanese, Laura  
Arnott, Ted  
Arthurs, Wayne  
Balkissoon, Bas  
Bentley, Christopher  
Best, Margaret  
Bradley, James J.  
Brotten, Laurel C.  
Bryant, Michael  
Cansfield, Donna H.  
Chudleigh, Ted  
Colle, Mike  
Craitor, Kim  
Delaney, Bob  
Dickson, Joe  
DiNovo, Cheri  
Dombrowsky, Leona  
Duguid, Brad  
Dunlop, Garfield

Elliott, Christine  
Flynn, Kevin Daniel  
Fonseca, Peter  
Hardeman, Ernie  
Hudak, Tim  
Jaczek, Helena  
Jeffrey, Linda  
Jones, Sylvia  
Klees, Frank  
Kular, Kuldip  
Kwinter, Monte  
Leal, Jeff  
Levac, Dave  
MacLeod, Lisa  
Marchese, Rosario  
McMeekin, Ted  
Meilleur, Madeleine  
Miller, Norm  
Moridi, Reza  
Phillips, Gerry

Prue, Michael  
Qaadri, Shafiq  
Ramal, Khalil  
Ramsay, David  
Runciman, Robert W.  
Sandals, Liz  
Savoline, Joyce  
Scott, Laurie  
Shurman, Peter  
Smith, Monique  
Smitherman, George  
Sousa, Charles  
Takhari, Harinder S.  
Van Bommel, Maria  
Wilson, Jim  
Witmer, Elizabeth  
Wynne, Kathleen O.  
Zimmer, David

**The Speaker (Hon. Steve Peters):** All those opposed?

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 58; the nays are 0.

**The Speaker (Hon. Steve Peters):** I declare the motion carried.

*Agreed to.*

**The Speaker (Hon. Steve Peters):** As we move on to a new set of prayers to open this House each day, I'd like to take this moment to express appreciation to a former member, Fred Young, who was the primary author of the members' invocation that we have recited in this House since 1969. It has served us well.

I want to take this opportunity as well to thank the committee: Garfield Dunlop, Cheri DiNovo and Bas Balkissoon. I want to thank Todd Decker, from the Clerk's office; Susan Sourial, a committee clerk; Larry Johnston and Carrie Hull, research officers; Sal Crisanti, research assistant from Research and Information Services; and Maggie Head and Ana Pontoni, from my office.

Most of all, I want to thank the citizens of Ontario. As a committee, we received over 11,000 e-mails and letters from citizens of Ontario, and there were well in excess of 25,000 petitions presented here as well. Thank you all very much.

#### PRIVATE MEMBERS' PUBLIC BUSINESS

#### HANDGUN MANUFACTURERS' AND IMPORTERS' LIABILITY ACT, 2008 LOI DE 2008 SUR LA RESPONSABILITÉ DES FABRICANTS ET DES IMPORTATEURS D'ARMES DE POING

Mr. Flynn moved second reading of the following bill:

Bill 82, An Act to make manufacturers and importers liable for harm caused by the unlawful use of handguns / Projet de loi 82, Loi imputant aux fabricants et aux importateurs la responsabilité de toute atteinte causée par l'utilisation illégale d'armes de poing.

**Mr. Kevin Daniel Flynn:** It's a pleasure to rise today to introduce private member's Bill 82 for the consideration of the House. The reason for this is that the influence of handguns in our society, certainly in the city of Toronto and now creeping out into the suburbs and into many other urban areas in this province, is simply becoming an issue that needs to be dealt with in ways that we haven't dealt with it before.

It seems to me that we have a different approach to the ownership and use of handguns than our great neighbours to the south—two different societies, friendly to each other, but certainly the approach to handguns in the United States is much different than our approach here in Canada. Many of the handguns that are found in the commission of crimes by the police in our cities and by police services throughout the province are found to have originated in other countries, most specifically in the United States.

This bill would allow the victim of a violent crime that has been committed with a handgun to hold responsible the manufacturer of that handgun if he could prove that that manufacturer had been negligent in the manufacture, storage, transportation or security of that handgun.

The reason I'm bringing this forward is that many tragic incidents—any of you who read the newspapers today would have seen on the front page of the Toronto Sun two more young people shot—one in the chest, the other in both legs in Regent Park just yesterday, not very far from here. It seems to me that this is happening far too often, and we need to stem the flow of guns into this country.

There are a number of ways that we could do that. My first preference, obviously, would be a handgun ban. The federal government does not seem to be inclined at this point in time to bring in a handgun ban, so it's left to the provinces, the police services boards, and provincial Legislatures to bring forward ideas that may stem the spate of violent crime in the absence of a handgun ban.

I'm saying that, as a society and as a province, we need to look at where these handguns originate, where they come from, where they're made and how they're getting into this country. Somewhere along the line these guns are leaving the legal system of manufacturers, storage and ownership and are entering the illegal system. All illegal guns begin their life as legal guns. Criminals aren't out there making guns; they're acquiring these guns. They're acquiring them through the legal system; they're acquiring from the legal system. I'm saying that a person who is a victim of violent crime, somebody who has been hurt in the commission of a crime involving the use of a handgun or the threatened use of a handgun, should have the right to hold the manufacturer of that product responsible, should you be able to prove that in the handling of that product, that manufacturer has been negligent.



We have a growing approach to some of the more dangerous products in our society: It's called product stewardship. We do it from an environmental perspective. We do it with such things as toxins. We do it with a variety of things where you have a product that you know can cause harm to your society. What we are saying is that you expect the manufacturers, those that make a good living from the manufacture of those products, to be held to a much higher standard. What supporting Bill 82 would do is allow manufacturers to be held to that higher standard, and it would allow the victims to take action against those people to recover some costs, to recover some compensation for the often tragic circumstances that people find themselves in after having been the victim of a handgun crime.

I want today to read a quote I was able to get from a lady we've probably all heard of who was a victim of a drive-by shooting in Toronto not very long ago. Her name is Louise Russo. What she says is, "I fully support Kevin Flynn's private member's bill, the gun manufacturers' liability act. Too many innocent lives and the lives of their families have been scattered and destroyed by gun violence. No one but authorized personnel should be allowed to have a firearm."

She was an innocent victim, as I said, of gun violence. She was left paralyzed. This was a shooting that took place in 2003. I think it caught the attention of the entire city, to see somebody who I believe was just sitting in a restaurant, living her own life, and suddenly had her life changed by a group of individuals who had somehow found their way to own handguns, and were able to use those handguns to turn this lady's life on its head. At the end of the day, she had no recourse. She was doomed to a life of poverty, she was doomed to a life in a wheelchair, and simply had no recourse against the system that had allowed those handguns to fall into the wrong hands.

She goes on further to say, "This bill is an instrumental part of ensuring that the victims of handgun crimes can make manufacturers or importers"—and I should note here that when I talk about importers, I'm also talking about smugglers—"take responsibility if they are found to be neglectful."

I was really pleased that Louise would step forward on this, because I know she's become a symbol of everything that is wrong with the use of handguns in our society. She's become a symbol of what can happen in a split second when we allow those people who own handguns or have acquired handguns, the criminal element in our society, to change somebody's life in the way that hers did.

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All types of firearms, obviously, can be legally possessed by residents in Canada under the terms and conditions that are set out by a variety of forms of legislation. Right now, there are over 600,000 legally registered, restricted and prohibited weapons in Canada. Many legal gun owners actually possess more than one gun.

In 2006, our Canadian police services reported there were over 8,000 victims of violent gun crime, ranging

from assault to robbery and homicide. That's a rate of almost one person per hour in Canada who is victimized by violent gun crime. What that says is that by the end of this debate on Bill 82, another Canadian will have been shot, another Canadian will perhaps have been paralyzed and another Canadian will have been touched in a tragic way by handgun use. On average, more than 1,200 Canadians are killed each and every year, and more than 1,000 are injured by firearms each year.

When you look at the Toronto area, and more specifically at the city of Toronto, one quarter of firearm-related victimizations occur right here in the city. A total of almost 2,000 people were the victims of a violent offence related to guns, and that's about one quarter of the national total. According to Stats Canada, in 2006, one quarter of all the firearm-related violent crimes in Canada occurred right here in the city of Toronto. Handguns accounted for 86% of all firearm homicides in Toronto in 2006, and Toronto has almost three times the national proportional rate of restricted and prohibited firearms.

What I'm saying is that these guns are being manufactured primarily in other countries. There's a use for handguns in Canada. I can think of three uses. I can think of sports shooting and target shooting; I have no problem with that. I can think of use by our police services; I certainly have no problem with that. I can think of a use by our armed services as well. There certainly is a use for weapons by our army, navy and air force. But what I don't see any use for is handguns proliferating on the streets of our cities and being used in the commission of crimes. We need to stem that flow. We need to find the people who are responsible for the manufacture of guns and we need to ensure that their products do not enter our province, that their products do not illegally find their way into the hands of people who want to use them with criminal intent. It has become far too common for guns to be used in the commission of a crime.

According to the Canadian Journal of Public Health, firearm deaths have now become the third-leading cause of death among young people between the ages of 15 and 24. Among 26 industrialized countries in the world, Canada ranks fifth in the rate of firearm deaths among children under the age of 14. That's not a high ranking you want; that's a ranking you want to be at the bottom of the pile on. In 2004-05, 49 Ontario children aged 10 to 14 required emergency department visits due to firearm injuries, and a rate of more than three youths per day are accused of a firearm-related offence.

We look at the United States, at the murder rate and the crime rate in some of the urban cities in the United States, and we say, "In the city of Toronto and in the province of Ontario, we do not want to become like that." What I'm saying is that unless we're able to stem the flow of guns into our society, we are going to become like that. I've heard the glib remarks that guns don't kill people; people kill people. I've heard that forever and ever, yet the deaths keep happening. The young people keep dying, the Louise Russos of the world keep getting put in tragic circumstances. It's something that I think



just has to end, and the way to end it is to go to the source of the problem.

I'm going to close by reading a quote from Bill Adair, executive director of the Canadian Paraplegic Association. He says:

"For too long, handgun manufacturers and distributors have hidden behind the fallacy that their product was merely for sport. In the meantime, they've saturated the streets with weapons that have been the cause of too many murders and too many spinal cord injuries. The economic and social cost to Ontario has been far too great and it has to stop.

"The Canadian Paraplegic Association of Ontario applauds Mr. Flynn and his private member's bill. We urge all members of the Legislature to support this bill and stop a direct cause of murders and spinal cord injuries in Ontario."

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Garfield Dunlop:** I'm pleased to rise this afternoon and speak on Bill 82, An Act to make manufacturers and importers liable for harm caused by the unlawful use of handguns. I wanted to read the explanatory note, which is very brief:

"The bill provides that when a person is injured or killed as a result of the actual or threatened unlawful use of a handgun, the person (or the personal representative) and his or her dependants are entitled to bring an action against the handgun's manufacturer or importer. The crown in right of Ontario is also entitled to bring an action against a manufacturer or importer of handguns to recover the cost of health care benefits caused or contributed to by the actual or threatened unlawful use of handguns."

I certainly can understand what the member from Oakville is getting at, and I applaud him for his efforts, but I have to tell you this is a bill that is very, very difficult to enforce. He mentioned earlier that guns don't kill people; people kill people. The reality is that there are a number of questions that I would have with this particular bill, and not only this particular bill—other weapons that people might use as well.

For example, when a gun is imported from, let's say, another nation—let's say it's from Africa or a European country or Asia, wherever the gun may come from—who will help the person who's been victimized? Who will help them with their legal costs? That's my first question. It could be absolutely impossible to even consider what the cost of that might be, to actually sue someone in another country who manufactured a gun, probably in good faith, and someone illegally imported it into our country, and someone shoots somebody, like in the case of Mrs. Russo, and in fact they've got a serious injury. Who's going to help them with the lawsuits? That's my first question, and I hope that when the member stands up later and responds, he can answer that.

I also have a question around the theft of guns. For example, he mentioned police and people who target-shoot and practice-shoot with handguns. So what hap-

pens if someone has a collection of guns that they use for target shooting, or someone might even acquire by illegal methods—whether it's theft or whatever—a police handgun, and they use that gun to hurt someone or to injure someone? Who will be responsible then? Obviously, the police are required to have guns. Does that mean that if a police gun gets stolen, someone will be able to sue the manufacturer of the handgun that was sold in good faith to the policing community? That's a question I would want to have asked as well.

The other thing that I think we should question here—and I wonder where we're going with this certain line of legislation—is other weapons. It's not only handguns that are killing people; it's not only handguns that are maiming people. We also have people who go at people with a baseball bat. Does that mean the next piece of legislation will sue the manufacturer of the baseball bat because they come forward, because that baseball bat has injured someone? Or someone with a kitchen knife: There have been many people stabbed over the years with a kitchen knife. Are we going to go down that path where, if you're a knife manufacturer and you manufacture knives so that people can use them for cutting bread and carving turkeys, the next thing you know, you're going to be sued because somebody got stabbed with one? That's a problem that I think we have to zero in on.

If the member wanted to really help Ontarians, right now we need about 1,000 new police officers in this province. That's what we require. The policing models of the police associations and the OPP, the Toronto Police Service, all these organizations, right now are about a thousand members short. What we have in front of us right now is \$156 million sitting in the hands of the Ontario government that the Ontario government can utilize. It's federal money transferred to the provincial government to actually hire and train more police officers. That's how we're going to eventually eliminate crime and gun violence: by having the resources in the hands of the people that know best, the police officers in our province.

1350

I would suggest that if there's one thing this government can do over the summer months—we're probably going to adjourn here in a few days—it's to push the Premier and the Minister of Community Safety and Correctional Services to hire those additional police officers who are required.

I know right now—I'm critic for community safety and correctional services—I hear from police officers on a daily basis, particularly the OPP, who are in my home riding of Simcoe North at the OPP general headquarters. They tell me, day in and day out, that they need about another 500 officers to fill the complement to properly police the province of Ontario.

I would encourage the member opposite from Oakville to zero in on that as opposed to trying to come up with this type of legislation that's going to be almost impossible to enforce and almost impossible for the in-



dividuals to pay for. He did mention poverty for some people—that's why we have the victims' justice fund. Why are we not capitalizing on that more often to help people like Mrs. Russo? If she's actually living in poverty, there's a fund there to help her along. That's what it was put aside for, so that when someone gets injured like Mrs. Russo did, there would be funds set aside so she could live her life better. That would be money through the victims' justice fund.

I appreciate this opportunity. I'll turn it over in a few minutes to Ms. Elliott to continue on.

**Mr. Bas Balkissoon:** I just want to compliment my colleague from Oakville for bringing forward this particular bill, An Act to make manufacturers and importers liable for harm caused by the unlawful use of handguns.

I wanted to speak to this bill for a particular reason. I'm very concerned about gun crime in the Toronto area, and especially gun crime in my riding of Scarborough—Rouge River. In 2004, before I got elected, I would say gun activity in my riding was rampant. It has dropped lately. I will continue to support and do anything possible to target handguns, because it is the underlying cause of all these problems that we're having.

The statistics today tell you that roughly 2,000 people were victims of violent offences related to gun crimes in just one year, in the year 2006. Handguns have accounted for 86% of all firearms homicides in the Toronto area in 2006. In my own riding, if I remember correctly, in 2004, handguns were responsible for well over a dozen incidents in my area.

It makes me very concerned that something has to be done. I have to say to the members here that in the 20 years that I've been in office, everyone has been talking about doing something about handguns. Handguns have been a problem. But we all seem to sit and wait for that perfect solution. I would say to you that I don't think the perfect solution is out there. What we need is incremental activity to stem this gun problem that we have that is growing in Toronto. It's growing in Ontario, and it's growing in Canada.

Just last month, the people in my community were shocked after a young man was gunned down in front of a high school in broad daylight. The Toronto Police Services had to lock down the two high schools in the area, and the entire community was under siege until they actually conducted their investigation. I don't think I want to promote this. I want to do something about it.

I have to say to you that this government is doing something, but our federal friends have to be at the table to support us to do something about handguns. We've been asking them to ban handguns. They don't really seem to get it. I hope we can continue to pressure them until they get it.

Another good example of work by our government is my colleague the member for Eglinton—Lawrence's recent private member's bill: If anyone is found with a handgun in their vehicle, we can seize their vehicle and take their driver's licence away and suspend it immediately. These are the kinds of incremental things we need

to do, and continue to do, until we stem gun crime activity in our community.

We have asked the federal government, and I think police forces around Ontario are saying to the government, that we need to have gun marking in Canada, where all manufactured guns have serial numbers and markings on the parts, so that when there is a problem, the police can trace a particular handgun to where it was manufactured, to who bought it and, if it was lost, to someone else. This would reduce the cost of investigation.

I am in favour of my colleague's bill and will be supporting it. I want to thank him again for taking this action in trying to stem handgun activity in this province.

**Mrs. Christine Elliott:** I appreciate the opportunity to make a few comments with respect to the Handgun Manufacturers' and Importers' Liability Act. Let me say at the outset that the Progressive Conservative Party will not be supporting this bill, not because we condone gun violence and the needless deaths of our young people, but because this bill is simply not going to do anything in reality to deal with this. In fact, if you consider the ramifications of this bill, it could lead to some quite bizarre results. I would like to take a moment to explain why that is so.

Let's start with a few facts. For all intents and purposes, there is a handgun ban in Canada right now. Despite what the Liberal members are saying, despite the hue and cry about calling on the federal government to do something, there already is a handgun ban, except for people who are lawfully allowed to own handguns: members of our police services, our armed forces, and recreational shooters.

I note that in his correspondence with respect to the bill, the member from Oakville referenced a similar law that was passed by the city of New York in 2005. It would appear that the current bill has been modelled after the New York statute. I would say that the situation in the United States is vastly different from the situation we deal with here in Canada. So what we are really doing here is comparing apples and oranges.

If you read the resolution for the city of New York council, which passed this statute in 2005, there is a section that deals with legislative findings and intent. I'd like to quote from that briefly:

"In order to reduce gun-related crime, New York City has in the past two decades adopted a thorough background check and licensing scheme aimed at ensuring the responsible handling of firearms and the registration of all firearm owners in the city. Unfortunately, despite such efforts, the problem of gun crime persists at the alarming rate of approximately one firearm death per day. This fact is largely a result of the proliferation of illegal means of firearm procurement, such as unlicensed importation from other states with less restrictive gun laws, unregistered sales at trade shows and so-called 'straw purchases' in which authorized purchasers buy guns and provide them to unauthorized users, including minors and convicted felons."



The section goes on to state that if manufacturers follow appropriate procedures and practices, the illegal flow of firearms will be reduced and manufacturers will not be liable for damages. That is because the manufacturers will not have been negligent in the manufacture or handling of the handguns, which I think is what is reasonable under the circumstances—they will have taken reasonable precautions.

There is, however, no suggestion in the New York statute that a manufacturer could be responsible for damages relating to illegal use of a gun by someone for whom they're not responsible. That, I believe, is a reasonable position to take.

What we have in the present situation is confusion between the negligent use of a gun—that is, doing something you shouldn't have done or failing to do what you ought to have done—and an actual illegal activity, which is knowingly doing something you shouldn't have done, such as smuggling guns and using them improperly.

What we have in this piece of legislation is an amalgamation of the two, with a result that simply doesn't make sense.

The member already knows that here in Canada we have a handgun ban, for all intents and purposes. We have very strict rules around the manufacture and distribution of guns. So the possibility of negligence in the manufacture of guns here simply doesn't exist. The statute that the member is proposing goes on to say that it's not only negligence with respect to the distribution and importation of guns, it also deals with the design and manufacturing. That is not likely to happen.

1400

What the member is really trying to get at here is to take a product that's actually legal—because the manufacture of guns is legal—and make it into an illegal product. So if it's used for an illegal purpose, the manufacture is going to be responsible, no matter how it's used. That simply can't exist. It doesn't make any sense.

It's very similar to the situation that my colleague the member for Simcoe North mentioned, which indicated that you can't hold a knife manufacturer responsible if it's used in the commission of a crime, or a baseball bat. I would say, very similarly, you can't hold General Motors responsible if someone takes a product like a car, goes out and gets drunk and kills somebody with it. You cannot possibly expect General Motors to be responsible for that. That, in effect, is what the member is proposing with this bill, however, and that is why we're opposing it.

We are all in favour of any reasonable proposal coming forward that's actually going to do something to prevent gun violence. But, yet again, what we have from the Liberals is something that's this wide and about this deep, something that really doesn't have any substance about it but appears to be doing a great deal about it. I propose that the Liberal member should go back and actually try and do something instead of blaming others with respect to this.

**Mr. Khalil Ramal:** I'm delighted to stand up to congratulate my colleague the member for Oakville for

bringing such an important issue to this House: Bill 82, An Act to make manufacturers and importers liable for harm caused by the unlawful use of handguns. I've listened to many speakers on this side of the House who spoke before me. They spoke about the protection and safety of our communities in Ontario. As the member for Oakville mentioned, the federal government didn't come to the table, and is not coming to the table, to create safety across this nation.

It's very important to ban handguns and make this province very safe. We hear a lot on the radio, TV, and from reading the newspaper on a daily basis, about how many people get killed or injured during their activities by handguns, by people who are shooting while driving cars, or attacking restaurants, coffee shops or variety stores—many different issues.

I think it's our obligation and duty as elected officials to create laws and mechanisms to create safety for the people who live in this province of Ontario, especially when we read so many different statistics. More than 1,200 people across Canada die on a yearly basis from shootings by lawful guns. Also, more than 1,000 get injured. Some of them cannot work again and cannot walk again. Many different injuries happen on a daily basis across Canada. There's also a big percentage here in Ontario, in our big cities and our small cities.

Not long ago, my colleague from Eglinton—Lawrence brought a bill to make sure that people who get caught by the police with a gun in their car will have their car seized and will lose their driver's licence. All these initiatives come together to create a safety net in Ontario, to protect the people of this province.

I want to congratulate the member for his thoughtful ideas and for thinking about the safety of the people of Ontario. There's no community in Ontario that is safe these days. So many youth watch TV, read the newspapers, and they think it's easy to carry a gun and sometimes use it against their friends, neighbours and different targets. So I think it is our obligation and duty to have some kind of tough rules and regulations.

Since we cannot control the movement of guns across Canada, I think we should go after the manufacturers who produce those guns. I think that's a very important tool to scare those companies from selling guns to anyone at any time. So I think it's a very important step. That's why I'm standing up and speaking in support. Whatever issue makes sure that this province of Ontario will be safe, I'm going to support it. I want to congratulate the member again for his thoughtful ideas and for bringing this bill forward, to make sure that our province and our communities are safe.

**Mr. Michael Prue:** I'm going to state at the outset that I rise to support the bill—not because I think that the bill is going to work, because I do agree with my Conservative colleagues—to send it to committee, to provide the necessary support in committee to do some other things to help make it work, to strengthen it so that it can actually do something.

My friend from Oakville cited the case of Louise Russo. We all know of her very tragic case in this House.



Those of us who live in Toronto—who saw what happened to her on the way to a sandwich shop to get some nourishment for her children one night, to see her struck down in a hail of bullets—will remember the sadness and anger of the people of this city when that happened. We remember the struggle she had to try to rehabilitate herself, to be in a wheelchair, to try her best as a very brave woman to do everything she could to get her health back into some kind of order so that she could continue to look after her family.

It is in that nature that we are supporting the bill, because no matter how small the provision of the bill and no matter how small the chances of actually taking guns off the streets with this bill, we all know that we need to do something. That's why I supported the member from Eglinton—Lawrence's bill. Even though I understand that it may not have much of a deterrent effect, at least he is trying to do something, as is the member from Oakville.

To use the Louise Russo case: Look at what happened here. It was a tragedy to her and her family. She ended up with some \$2 million of compensation from the people who had put her in the wheelchair. This was extremely contentious—not only in the courts but in the court of public opinion in Ontario, the editorial opinion—because in fact a type of plea bargain took place, a type of plea bargain in which the perpetrators of the crime were allowed to plead guilty to a lesser charge. They received only 11 years in jail—which to some might seem a lot, but we all thought they were going to face much more severe consequences—provided that some \$2 million went to her, so that she could care for herself and the pain and suffering of her family, and to look after the needs, the restructuring of her household, so that she could reach appliances and things from a wheelchair.

Part of the reason that this happened, that the court case and settlement took place, is because in Ontario we have woefully inadequate compensation for victims of crime. The maximum that anyone can get is \$365,000. So there was Ms. Russo and her lawyers going and negotiating a settlement with the perpetrators, that they would only get 11 years, provided that there was \$2 million made available to look after her in her time of greatest need. I can understand why the family did it and I can understand why the lawyers negotiated it. But I have to say that I think the system let her down as well, because the compensation of \$365,000, which is the maximum allowable by law in this province, was not enough to compensate her.

Having said that, I have to question what would have happened if Mrs. Russo had had this bill in effect at the time she was tragically struck down by the bullet. What would she have been able to do? She negotiated in a court, and her lawyers did what was, I guess, in her and her family's best interests. But what would she have done under this bill?

The first thing she would have had to do was sue for negligence. She would have had to sue for negligence on the part of the manufacturer, the importer, the salesperson or wherever the gun came from. That is what she

would've had to do. In the body of this bill, she would have had to prove in a court of law that the "design, manufacturing, marketing, importation, sales or distribution practices could result in the actual or threatened unlawful use of the handgun." That is a mighty tall order in a court of law, to prove that the manufacturer or the importer knew that that handgun was going to be used for that nefarious purpose.

**1410**

As the member from Oakville correctly stated, all handgun sales, or virtually all handgun sales, at the initial stage are legal. They're legal in the United States and, if they are sold in Canada, they are sold to people who are registered to carry a handgun and are, in themselves, legal. It is what happens to those handguns virtually after that that makes them illegal.

A question has to be asked under this bill, and I'm sure the first lawyer who gets his hands on it is going to ask the same question: Is the maker, is the distributor, is the importer negligent if a handgun is stolen? We know that most of these handguns are stolen. We know they're stolen from private people. We know they're stolen from pawnshops. We know they're not obtained illegally, as the member himself has stated. Is a maker, distributor or importer negligent if someone takes stolen property, not intended for their use, and uses it illegally?

Of course, the second problem and the second question I have to ask is the citizens' resort to the courts, which will be required under this legislation. We know, in Mrs. Russo's case, this was part of a criminal lawsuit that the province of Ontario was prosecuting fully and with full intent to have the perpetrators get jail time, and a deal, a plea bargain, was made. This did not cost Mrs. Russo any money.

In future, if we are to litigate—like we litigate in the United States or like Americans litigate—then you are going to find that those selfsame citizens who are the subject of gun violence are going to have to have pretty deep pockets. We know people have had pretty deep pockets when they took on the cigarette manufacturers, when they got cancer years down the road and the cigarette manufacturers were said not to have released the studies that showed that cigarette smoking would cause cancer. We know the same thing is going to happen here.

You're going to have to have pretty deep pockets before this goes—the gun groups and the gun manufacturers have much deeper pockets, unfortunately, than most citizens. If you're going to put the citizens to this kind of risk, this bill needs to be strengthened so that there is money available to people to litigate. I'm not sure that that's in the bill, but if the bill passes, we can send it to committee and we can look at that too.

We need to look at the entire question of the \$365,000 limit—is that why this is being proposed? Is this being proposed as a sop not to increase the limit? What if the limit was \$1 million? What if the limit was \$2 million? Mrs. Russo could have gone right for compensation and the people who shot her might have had a higher sentence.



She needed the money desperately. Her family needed the money desperately for medical expenses and lifetime expenses, as a result of her being in the wheelchair, unable to work, unable to perform household duties—the whole range of things—and having to reconstruct a house. We know that all took place. She needed \$2 million and there was an avenue to get it. What if that avenue was in the criminal compensation fund? Would that not also do the same thing? Then the courts would not have to negotiate or allow the negotiation of a deal, and who knows? The people who committed those crimes might not have gotten 11 years, they might have gotten 20 or 30 years, which is probably more in keeping with what the people of Ontario wanted them to get.

The reality of all of this is that we have to stop the flow of handguns coming into the province. The only, only way I am convinced that this can be done is to interdict them at the border. It means a stronger police presence, a stronger customs presence and a stronger immigration presence at the border. If any of you have gone down to the border, you will see that the flow of traffic is enormous crossing the United States border—Americans coming to visit Canada, returning Canadians coming back after having visited the United States—and it is very easy for people to smuggle.

I am not naive. I worked in the immigration department for some 20 years, along with my customs brothers and sisters, and I saw the amount of contraband that was taken. Most often, people would be trying to smuggle back an extra bottle of booze, or they would be trying to bring in a Rolex watch—or something they thought was a Rolex watch, anyway—from wherever they had travelled, and they were caught. We need the customs officials to be on that border. We need them to search any suspicious person a lot more often, I would suggest, than they do. We need to have the kind of technology that will allow trucks and cars to be X-rayed to see whether there are guns in them, because they do give off an X-ray. They will be shown. The people get out of the car and the car is X-rayed. You can tell pretty soon whether or not there are handguns or other metal objects, other than the car itself, by the shapes that appear on the screen. We need to have that kind of technology, and we need to put the full force of the law on people who insist on smuggling those handguns across our borders.

I recognize that this is a federal responsibility, but I think that this Legislature has an obligation to make the case known that we expect the full punishment of the law. We don't expect that when people are found with illegal handguns in their houses, as happened to a former member of this House not too long ago—that person received a conditional or an absolute discharge. We need to get serious, and it doesn't matter who the person is who has an illegal gun. If they knowingly keep that in their home, in their car, in their possession, then it should carry a mandatory sentence on indictment, and by that I mean at least two years. All indictable offences carry sentences of at least two years. I would suggest that that's the way we need to get serious.

I am supporting the member from Oakville's bill because I want it to go to committee. It needs to be strengthened, and we need to make sure that it is going to have the desired effect. Having said that, I promised my constituents and my former constituents, when I was the mayor, that I would do everything I could to get those handguns off the street. Even though this is a small measure, I still support it.

**Mr. Mike Colle:** I'm very proud to stand up and support the member from Oakville's private member's bill trying to control the proliferation of handguns by putting the responsibility on the manufacturers and importers of handguns. It's almost laughable to hear the Conservative member stand up and say, "There is a handgun ban in Ontario and Canada. We don't have to do anything." Wake up and smell the coffee. Just tell the people of Toronto about this handgun ban. It's a joke. There probably are more handguns now on our streets than there ever have been and they're in the hands of criminals. The police know it. We've put out more police, and the police are doing an incredible job, but we're endangering the lives of all of our citizens and of the police because we're not doing anything to plug the handgun loopholes.

This week we heard an RCMP intelligence report which told us that there are hundreds of guns coming into Canada every day from importers who say they're importing guns and weapons for the film industry. But there are no checks and balances: When the film company gets the weapons, they then have no tracking mechanism. The RCMP has said to the federal government, "You have no way of tracing where these hundreds and thousands of weapons are ending up," and they're saying that they're ending up in the hands of criminals.

The member is trying to do something that's been tried in a couple of US cities and states because they too are desperate to stop the proliferation of these guns. Who wants the handguns? It's the criminals, it's the drug peddlers, it's the gangsters who want these handguns. For the life of me, why can't we see through the basic, common-sense action of this, putting more responsibility on the people who import the weapons—and they do it for big money. They are, in essence, arming the criminals in our society with these handguns, and we're doing nothing about it.

It's going on and it's threatening people. They talk about, "Well, you should then look at banning baseball bats and kitchen knives." How ludicrous is that? In my own riding, on March 14, six young teenagers standing in front of their house were approached by two thugs. One with a handgun shot six of them. Luckily, only one died, and the one who died covered the other five up, or all six would have been dead by that lethal handgun in the hand of a criminal, who was already known to have this kind of weapon in the past.

1420

This is the type of reality in our streets, and some people say, "Well, it's not happening in my town. It's not happening in my riding." Believe me, it's a plague that



will affect all of us. We can't just say, "Oh, there are great laws. We don't have to do anything." The laws have loopholes you can drive trucks through. My colleague from Oakville is saying that we have to get to the point of taking some action on this. Provincially, we're trying. This is another great idea. It has been tried in Chicago and New York with some success. We can't afford to just defend the status quo and say, "Everything is okay with handguns. Be happy; don't worry. There's a handgun ban in Canada." We need to get real with this issue. This is an attempt to get real. Whether you live in Toronto, Oshawa, Mississauga or Oakville, these criminals have these guns; they're readily available; they're coming across the border because there's no checking of it across the border. They're coming in by the thousands. There's money being made here, because with guns go drugs, crime and gangsterism. So let's do something. This is an attempt for us to support a member who feels strongly about doing something.

**The Acting Speaker (Mr. Jim Wilson):** The honourable member from Oakville, Mr. Flynn, you have up to two minutes to respond.

**Mr. Kevin Daniel Flynn:** I'd like to thank all the other members who have responded in their own way to this. It has gone a little bit as I predicted it might. My thanks to the members from Scarborough–Rouge River, London–Fanshawe, Simcoe North, Whitby–Oshawa, Eglinton–Lawrence and Beaches–East York.

As I said, this debate would take about an hour. Since that hour has passed, another 160 handguns have been manufactured in the United States. Some of those are going to find their way onto our streets. Some of those will be used in the commission of a crime. Some of those may kill Canadian men and women. We need to do something about that. I can think of a million and one excuses as to things you can't do or things you shouldn't do, but it simply is not good enough. I think you have to decide whose side you are on on this. Are you on the side of the victims of gun crime? On the side of the paraplegic association? People like Louise Russo and Halton Regional Police Chief Gary Crowell? Or are you on the side of the gun manufacturers and the gun lobby? It's that simple. There are simply too many guns entering our country from the United States, and we can do something about that. We, as a province, can send a message to the gun industry: "Do everything you possibly can to keep your guns out of Ontario. If somehow they're leaving your supply system, and somehow they're leaving pawn shops and gun dealers close to the border, and you suspect that maybe some of the guns are ending up in Ontario, then maybe you need to look at your supply system. Maybe you need to do something with your own company to make sure that those guns do not make it onto Ontario streets." By supporting this message, we're sending a message to those who manufacture handguns that, should that happen and should one of our citizens become a victim, we're coming after you.

**The Acting Speaker (Mr. Jim Wilson):** We'll vote on this matter in 100 minutes' time.

## SKIN CANCER PREVENTION ACT, 2008

### LOI DE 2008 SUR LA PRÉVENTION DU CANCER DE LA PEAU

Mr. Ramal moved second reading of the following bill:

Bill 83, An Act to help prevent skin cancer / Projet de loi 83, Loi aidant à prévenir le cancer de la peau.

**The Acting Speaker (Mr. Jim Wilson):** Pursuant to standing order 97, you have up to 12 minutes for your remarks.

**Mr. Khalil Ramal:** Before I start, I'd like to welcome two members of the Canadian Cancer Society here with us in the gallery: Stephanie Murray and Irene Gallagher. They came to witness the discussion on this very important issue. I also want to thank my assistant, who worked very hard for the last month to prepare all the documentation and research to provide to all the members of this House about the importance of the initiative.

It's important for all of us in the province of Ontario to protect our citizens, especially the youth. Two members from the Canadian Cancer Society came to my office some time ago in the early fall and brought to my attention this issue, and explained to me in detail how important it is to ban ultraviolet treatment, especially for people who are under 19, because it causes cancer. Since that time, this idea has developed in my mind, and I've drafted it as a bill to introduce it today for second reading. Hopefully we'll get support from all the members of the House in order to create some kind of safety net in Ontario.

As you know, this initiative is important because it will provide for a prohibition on selling or supplying tanning services or ultraviolet light treatment services to a person under the age of 19. The prohibition does not apply to ultraviolet light treatment prescribed by authorized medical professionals for conditions prescribed by the regulations.

Since we live in a very complex society, many people try to use many different cosmetics in order to look beautiful, to look different than others, which has attracted so many different youth among us—not just in the province of Ontario and in Canada, but also across the globe. And those issues—the ultraviolet radiation, which can cause cancer on many different occasions. I was reading some statistics: Ultraviolet radiation, if we are subjected to it, will cause skin cancer. We have statistics showing that in Canada almost 68,000 have non-melanoma cancer, with a third of those caused by ultraviolet radiation. That ultraviolet radiation comes from the sun, but also from tanning salons and tanning beds. Many youth use these to do their tanning, and they cause cancer.

So we have cancers called non-melanoma and melanoma. Non-melanoma is the famous one, the biggest one—almost 68,000 in Canada. We also have melanoma, with some 3,000 being diagnosed. This one causes a lot of dangers; most of the time it causes death. Those numbers, incidences and diagnoses have been increasing since 1960. In the beginning of 1960-61, almost four per



100,000 among men used to be diagnosed with those cancers, but by 2000, the number had increased to 15 per 100,000 among men and 11.5 among women. The number did not just double but almost tripled among men and women. This affects mostly people who have fair skin, who are taking medications or who have freckles or moles. It increases the activities of the cancers, and those cancers, as you know, are not good for our youth.

All the statistics and all the medical research show us that people under 19 are more subject to cancer because their skin is still fragile and not mature enough to be able to resist the ultraviolet radiation that comes from the sun or from the artificial lighting of the tanning salons.

I think it is our duty and obligation as elected officials to create awareness and also to ban the different tools being used across the province that cause death and cancer among our youngsters. As you know, the youth among us are important to carry on this province and also to create a healthy province. So I want to thank the Canadian Cancer Society for their initiative and also for their continuous campaign to create a healthy society.

As you know, not long ago we banned smoking in cars when there are kids. This initiative was brought by my colleague the member from Sault Ste. Marie, who was also encouraged by the Canadian Cancer Society to introduce that bill. Success with that bill—it saw the light and has been passed, supported by both sides of the House. Hopefully it will be a law in the province of Ontario soon.

1430

I think this initiative to ban the different tools, whether it's smoking, tanning or many other things—we were debating in the House last week, and also in committee this coming week, banning cosmetic pesticide use in many different places in the province. All these initiatives, I think, are a very important step to creating a healthy society.

That's why, in private members' bills, many members of the House bring very different initiatives. I know that some people think those bills do not go anywhere, just for consumption of time, but I don't agree. Most of the time, those bills at least create awareness if they don't pass, and most of the time are also carried by the minister or the ministry or the government and become a law of the land. I think this bill is important to create healthy habits among our youth in the province of Ontario.

Today, as you know, was Cancer Care Ontario day at Queen's Park. Many vendors came to Queen's Park and displayed different pictures and sites and spoke about cancer and how we can attack cancer in the province of Ontario and how we can protect ourselves. I think that campaign continues, not just with the Canadian Cancer Society but also with many different stakeholders across the province and many different organizations who care very much about people, about protection of the people.

I brought this bill because I know that a lot of people, especially the youth under 19, go to tanning salons and they sit for one hour or two hours. They want to change the colour of their skin because, for some reason, they

think they look sexy or more beautiful, or they want to change their image to show off among their friends, but they don't understand the result of their actions. Most of the time, those actions cause skin cancer. So I think if we had a ban to prohibit people under 19 from using those salons, it would create some kind of safe environment for many youth in the province of Ontario.

Also, those salons open at many different places with no regulations and no educational materials for the people using the salons. Sometimes they sit for many long hours, and that will cause some kind of cancer.

As I mentioned, all the statistics from the Canadian Cancer Society and many other health organizations worldwide show it's caused as a result of ultraviolet, which comes from the sun or from artificial lighting like that in tanning salons. I think it's important for all of us to ban these tanning salons for people under 19 because, as I mentioned at the beginning, their bodies are not mature enough to resist or absorb those lights. Therefore, I think it's our obligation as elected officials to put some kind of ban or regulations to regulate this industry and create some kind of campaign of awareness among the people. Also, before the people use the salons, they have to be educated about the consequences of using or being subject to those artificial lights.

When we talk about health care in the province of Ontario and how much it costs us, I think it's our duty to have regulations to lower the pressure on health care. As you know, when we got elected, health care was about \$29 billion a year; now it's up to \$40.4 billion this year, in budget 2008. It's still not enough, because so many different diseases, so many different illnesses, develop in Ontario and in this world as a result of technology, as a result of changing our habits and life and of many different issues: as I mentioned, cosmetic pesticides, smoking in cars, drinking without regulation and also exposing our bodies to the sun and to artificial ultraviolet—many different issues. Also, there is pollution in the environment. All this stuff is causing a lot of damage to our bodies and it creates many different diseases that didn't exist in the past. Life in the past was very simple, was very regular, and people normally used to eat whatever they grew in the backyards. They would never expose themselves to artificial things like ultraviolet that comes from the lights created to change the colour of the body. So all these initiatives are causing disease, especially cancer, and cancer has grown in society as a result of the foods we eat today and also exposing ourselves and our bodies to artificial light. All this concentrated light which normally comes from the sun to a certain degree comes automatically into the body, and most of the time, for those people who are taking medication and also have a freckle on their face or their body, it doubles the reaction and in the end will cause cancers.

I'm looking forward to hearing from many speakers in the House. I've learned that many of the doctors among us in this House are going to speak and give us their wisest of ideas on why we have to ban tanning salons and exposing the bodies of people under 19 to this artificial



lighting, because it's important, as I mentioned, to create a safe mechanism for people who live among us, especially the youth, because it's our obligation and duty to create a healthy society. So by banning this, we will create a healthy society and a healthy future for the people of Ontario.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Peter Shurman:** Given that this is perhaps the last time that I'll have a chance to rise in debate before we close for the summer in this House—

**Mr. Shafiq Qaadri:** Say it isn't so, Peter.

**Mr. Peter Shurman:** One never knows. It's possible we'll go on, but it looks like potentially the last time.

I'd like to make some comments specific to Bill 83, the Skin Cancer Prevention Act, as well as to more broadly address a category of bills that this fits under, and I'm talking specifically about bans, because we have discussed bans almost incessantly. As this session comes to a close, I suppose also coming to a close is the categorization that I fall into, which is "new member."

Over the session, I have had the opportunity to observe the member from London-Fanshawe in this chamber in debate, and I must say, first of all, that he is always a willing participant in debate. He is a likable colleague, but I'm sorry that I cannot support this bill, because while the intent of the bill is excellent, the legislation, for a variety of reasons, is bad, and I'll explain why in short and then elaborate.

First of all, it's yet another ban and, second, it is very poorly written legislation as it exists. Bill 83 is yet another example of the unimaginative and inept legislation that Ontarians have come to expect from the McGuinty Liberals. It's yet another ban. Liberals seem to have—I'm sorry to members on the other side—no faith in the intelligence of Ontarians. Progressive Conservatives value freedom of choice above all else, and I think that's the single largest division between the two parties: freedom of choice. We believe in personal intellect; we believe in personal responsibility.

The McGuinty Liberals believe that people need to be protected from themselves, and they have become expert nanny-state practitioners. Bill 83 is another piece of nanny-state legislation—government for the sake of government and for no other reason. The legal age to drive is 16, the age to join the armed forces is 18, and the voting age is 18. If I can provide an example of what I'm talking about, someone could sign up to fight courageously for Canada in Afghanistan, but God forbid that he or she should go to a tanning salon prior to deployment, because the age is 19. My God, I'm feeling like I'm a talk show host again. Forgive me the observation.

Who knows how to take care of their kids better than a loving parent? If you ask members of the Progressive Conservative caucus, and indeed if you ask Ontarians, the answer is, "No one." No one is better than a parent. Yet the member from London-Fanshawe would have everyone believe that he knows best. My colleagues in

the PC caucus and I know that that is simply not true. It is simply not true.

**1440**

Let's take a look at a few things the McGuinty Liberals, in all their benevolence, have seen fit to ban for the benefit of us mere plebeians. They began the session by banning trans fats. If I look at a package—I would like to think that, as an intelligent person, I look at packages—and see trans fats, I don't buy the product. Pit bulls: an entire breed of dog banned. Smoking in cars with kids present: I've said in this House before that if you do that, you must be something less than normal, and when you pass a bill like that, you have it, we all agree—I voted for it—but nobody has explained to me how you're going to enforce it.

We're going to pass a bill on cosmetic pesticides, but no one bothers to call attention to the fact that after all the exemptions, what we're passing is a bill that bans the use of cosmetic pesticides in residential areas, which accounts for less than 2% of the use of all pesticides, period. Displays of cigarettes in convenience stores: Going on 40% of all cigarette sales in this province emanate from smoke shacks on First Nations properties and are not policed at all. So you can ban things, but you don't have to worry about enforcing them.

Speeding in trucks: Isn't speeding illegal already? Where I come from, the 400 highways have a speed limit of 100 kilometres per hour, but we're going to limit trucks to 105. Okay. There is a ban on illegal firearms in vehicles. I have a question: If owning an illegal firearm is illegal, why do we need to ban them in vehicles? Let me ask that question again, in case you didn't hear me: If owning an illegal firearm is illegal, why do we need to ban them in vehicles? Oh, and by the way, if owning an illegal firearm is illegal, why do we need to ban them in vehicles? I keep asking myself this question, as a person who started here seven months ago, and I just don't get it. My personal favourite is the ban on banning clotheslines. That's what the members on the opposite side did. Cities banned clotheslines because they weren't pretty, and now we've banned their ability to ban clotheslines.

I have an idea: Let's introduce a ban on bans. How about a ban on being stupid, or how about jail time for stupid legislation? Perhaps certain members of the government benches should hope that such a bill never, ever gets passed. Let's have a ban on walking into oncoming traffic, or maybe we can have a ban on standing under trees on golf courses in lightning storms, or maybe we can have a ban on eating yellow snow. Think about this: How many things can you ban? This government legislates first and thinks later.

How will all of these bans we have be enforced? Enforcement is a detail that the McGuinty nanny-statists don't want to worry about. They don't want to worry themselves with it, so their response is to leave it to beleaguered municipalities, with no cash to support them, to do the enforcement. These things exist. People in their busy lives hear them on the radio and read them in the paper and say, "That sounds like a good idea." But



there's no thought about what happens when it comes to enforcement.

Let me make a few comments on Bill 83, which is simply bad legislation. It's absolutely rife with gaps, it leaves too much to bureaucratic interpretation and is, in effect, legislation by regulation. What constitutes tanning services? Tanning beds? Selling tanning products? It could be the tanning of leather, because there are no definitions. Under this legislation, if passed as it exists, an 18-year-old could go with a piece of cowhide to a tannery and say, "I want tanning services," and if they're sold to him, that's illegal, because there are no definitions.

What constitutes ultraviolet light treatment? We don't know. Dentists use ultraviolet light to cure fillings and crowns. Does that constitute ultraviolet light treatment? If it does, and there are no exemptions for dentists, they would be committing a crime. If it does, we're in trouble. Why? Because, unlike members of the College of Physicians and Surgeons of Ontario, which my friend has included as an exemption, and members of the College of Nurses of Ontario, members of the Royal College of Dental Surgeons of Ontario are not exempt from this legislation. Does the member from London-Fanshawe propose to make it illegal for a dentist to use ultraviolet light to treat a kid's cavities? I think not, but he doesn't say so. I dare say it is not likely his intent, but we all know what is paved with good intentions. Legislation by regulation, all fluff and no substance—hallmarks of the McGuinty nanny-statism.

I will assume for a second that tanning services do refer to tanning beds. Of course, I don't think young kids should using tanning beds. Who would? But that's for a loving parent to decide. It's up to us to provide them with the material necessary to make an informed decision. We are not helping anyone by passing a do-nothing, waste of time bill like this. The bill represents all that is wrong with the McGuinty-Liberal nanny-statist government, and I cannot and I will not support this bill.

The numerous legislative bans that the McGuinty government has burdened our province and our citizens with are not about good government and the wellbeing of Ontarians; they're about PR. This private member's bill, Bill 83, is another example. We are coming to the end of this session of the Legislature. We'll be breaking for the summer. Since being elected in October, what legislation has this government passed that is of any substance? The answer is nothing.

I want to talk about the economy. I want to talk about health. I want to talk about crime. I want to talk about transportation. But what am I talking about? Legislation on signage in Niagara Parks properties, legislation regarding snowplows on private property, the Made in Ontario Act, the Buy in Canada for Mass Transit Vehicles Act, the Great Lakes Shoreline Right of Passage Act, the Apology Act, the Pesticides Act, the Smoke-Free Ontario Act—for goodness sake, these are all diversions to distract Ontarians from what is really happening.

Ontario's economy is crumbling. Our cancer patients, whom you're trying to address, wait for too long for

treatment, if they see any treatment at all. Our infrastructure buckles under the strain of new migration to our urban centres, our manufacturing sector rusts, our farms are uprooted, our hotels are at a fraction of capacity, and what do we get from the Liberals while all this is happening? Bills like this.

I ask, when this Legislature resumes in the autumn, can we expect real governance from the McGuinty nanny-statists? Can we, please? Or can we expect more of the same drudgery? I think I know what the answer is already, and I am saddened for the people of Thornhill—my riding—and all of Ontario.

I came here to work hard and I think that I do work hard. I know that everybody does as well. But can we get a grip here and can we focus? It truly is a terrible commentary on the state of governance in Ontario that we get garbage bills like this.

**Ms. Helena Jacek:** It's a pleasure to rise in support of the member of London-Fanshawe's Bill 83, An Act to help prevent skin cancer. I think it's an excellent initiative to draw attention to this issue.

Ultraviolet radiation has been recognized as a carcinogen. It, in fact, is a particularly insidious and invisible carcinogen. That's why I believe it's so important to draw attention to this fact. I think most people are clear that sun damage occurs because of ultraviolet radiation and that sun damage can include everything from aging of the skin to cancers, whether they be relatively benign such as basal cell or squamous cell or an invasive type of cancer such as melanoma.

These are important issues. Many authorities have made statements in relation to the use of tanning beds, which, of course, are another source of ultraviolet radiation, so we have not only the Canadian Cancer Society but the World Health Organization. That organization has specifically stated that the use of tanning beds can increase the risks of skin cancer, especially for those under the age of 18. The US Department of Health and Human Services has also made a similar conclusion. The Canadian Cancer Society has also stated that those exposed to artificial tanning as young adults have a 65% increase in risk over those exposed later in life in developing skin cancer.

1450

Health Canada has issued guidelines in terms of the safe use of tanning salons and tanning beds. As a former medical officer of health, it was my responsibility under the mandatory health programs and services guidelines pursuant to the Health Protection and Promotion Act to ensure that every tanning salon in York region was aware of those guidelines and was prepared to follow them. I think most people are aware that in many areas of this province a tanning salon pops up overnight, practically. Therefore, my inspection staff found it extremely difficult to get around to all the tanning salons and to ensure that they were following these guidelines.

Health units across Ontario are concerned about the use of these tanning salons, because that use is really quite considerable. A number of health units have



gathered some statistics: Some 7.2% to 11.5% of adults aged 18 or over have used artificial tanning in different areas. It varies across the province. We don't have any actual data on those under the age of 18, but certainly anecdotally I have heard of parents preparing for a holiday down south where the whole family goes to put what they consider a healthy glow on their skin. Of course, we know that they are in fact potentially endangering their children.

It's particularly important in a country such as ours, where we have many people of European descent. North America, Australia and New Zealand are leading in terms of the number of cases of melanoma. Those with fair skin, those with freckles and those with moles are particularly susceptible to skin cancer.

This is why I'm firmly in support of this legislation. It will bring attention to the issue, over and above what our health units are able to ensure does occur in each jurisdiction according to Health Canada guidelines. Those guidelines are a good step; this legislation is even better.

**Mr. Michael Prue:** I rise, and I am going to support this bill. Notwithstanding the sometimes humorous and sometimes correct assertions of the member for Thornhill, this is a serious issue that needs to be discussed, and I think this is the appropriate venue. Although I would agree with the member from Thornhill that much of what has taken place in this Legislature during this particular government has conveyed a nanny-state approach to government, this is a private member's bill. I think we all need to remember that it is not a government bill; it is a private member's bill by a person who happens to be on the Liberal side of the House. But it is his bill.

I always try to look at bills differently: those that are private members' bills versus those sponsored by a government. A government bill, as we all know, will be voted for, virtually in every single case, by all the members of the government. A private member's bill is an option for people to cross party lines, an option for people on all sides of the House to see merit in a bill. You can either vote for it or against it on the strength of what that private member is trying to put forward. In this case, I think he has a pretty cogent argument. He has an argument that has been adopted in many places in the world.

If I can state for the record some of the organizations that are onside in terms of this bill, the first one is the Scientific Committee on Consumer Products. This is a European think tank that advises European governments. They stated that the use of ultraviolet tanning lamps—sun beds—is likely to increase the risk of melanoma. Any doctor can tell you that and probably any doctor will tell you that, but there is scientific evidence, and virtually every European government in the European Union abides by what they have been advised. They know it's likely to do it—and that's just one organization.

The second organization that's onside, the International Agency for Research on Cancer, published a report in 2006. The Canadian Cancer Society came on board. The World Health Organization is on board in

terms of their advocacy of warning notices, client consent forms, operator training, supervision and the mandatory use of eyewear inside tanning salons or tanning beds.

All of these organizations can't have it wrong. They know there is a very real risk to people who use tanning salons, tanning beds, of contracting various forms of skin cancer. As the learned doctor and my colleague said as she spoke just before me, there are some serious types of cancer—I guess they're all serious, but some are more serious than others, like melanoma. Certainly if you have ever had a colleague, a friend or a loved one die of melanoma, you have to know that that is an absolutely horrendous disease. It is unstoppable; it is deforming. It is a horrible, horrible way to die. We have an obligation to make sure, even if one is accused of being in a nanny state, that if we know something about it, we can warn somebody about it to stop them from taking actions that might invariably lead to that.

I remember when I was a boy and the first scares came out about smoking cigarettes. I remember them showing on the television news that they had put nicotine and other carcinogens on mice, and you saw the cancers growing out of them. I know it was enough in my own mother's case: She quit on that very day, and advisedly and rightly so. But it has taken generations for us to come to the point where today cigarette use is actually declining among young people, and I'm hoping within my lifetime to see a time when we don't see that habit continuing, because of the deleterious side effects of cigarette smoking causing cancer.

This is nothing much different. I want to say that other governments have already taken this step. The government of New Brunswick prohibits the use of tanning beds for people under the age of 18. This is not groundbreaking legislation. It already exists in one of Canada's provinces. The state of California bans the use of tanning beds for those under 14, although it will permit the use of tanning beds for those between 14 and 18 upon parental approval. You need a signed statement from a parent or guardian if you are between those ages. The government of the United Kingdom prohibits tanning beds for those under 16. The governments of Australia, depending on which state in Australia you're in, universally ban the use of tanning beds for people under 16 in some states and under 18 in others.

We have a very real problem here in Ontario, and it isn't just with the use of young people. It's about the whole tanning bed and spa industry that uses this tanning equipment. It is virtually unregulated. There is nothing for health practitioners, city officials or anyone else to go in and say anything because there are no regulations surrounding it.

Health Canada has asked for voluntary guidelines. There are no standards of training whatsoever. I can go in, I'm sure, tomorrow, and if I'm willing to work for the wages, the working hours and conditions in a tanning salon, I can get a job, be shown how to flip a few switches, how to turn them off, how to time them, and I could become a tanning bed operator. It's as simple as



that, and I'm not sure that we in Ontario should be allowing this.

I am supporting this being sent to committee because I want the bill to work. It needs to be strengthened. It's just not enough to say that people under 18 shouldn't be allowed to go to tanning beds as today they are not allowed to buy cigarettes. It needs something more than this. We need, first of all, to look at a ban of marketing of tanning beds.

It is very sad. I went to a school graduation and saw the school flyers of the new graduates. One of the advertisers was giving away coupons to the new graduates of a high school to come on down and get reduced costs on tanning bed facilities. The marketers are very smart. They know the market where people pick up this habit of thinking that looking tanned is being very healthy, and I must admit I thought that way in my youth too. I must admit that to have a tan in the summertime was the ultimate; to lie out there and bake yourself until it hurt was the ultimate. I'm much more careful now, I want to tell all of you.

**Mr. Tim Hudak:** And still very handsome.

**Mr. Michael Prue:** I inherited my mother's Irish skin, and sometimes the tanning and the overdoing of that actually hurt.

But we need to get a ban on the marketing, first and foremost, because we know that some 11% of all of the tanning sold in the province of Ontario is sold to young people between the ages of 16 and 18, those people who are in grades 11 and 12, those people who succumb to the marketing, who see the coupons—two for one, or tan for \$5, unlimited for the month, all of the stuff that is being marketed out there—are particularly susceptible to it. We need to stop the marketing of those coupons in high school yearbooks and in high school newspapers and stop handing them out at the doorways of high schools across the province.

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We need to look to a registry of providers. We need to have a registry so that we know who is providing the service, the types of equipment they have, monitoring the types of equipment to make sure they are safe. We need to look for mandatory training, as the World Health Organization said. We need mandatory training so it isn't possible for someone like me, looking for a job or a part-time job, to go in and say, "Yes, I'll work for \$10 or \$8.75 an hour. Yes, I know how to look at my watch and tell when 15 minutes is up and flip this switch or flip that switch and make sure that the place stays clean." We need to know that when people are performing this function, they are doing so in a much more professional capacity, and they should be accredited. We have an obligation to make sure, when people's health might be put at risk, that they are accredited.

We need to follow what the World Health Organization said about warning signs. A lot of people will think the tanning bed is perfectly safe. They'll think it is just as natural and just as normal as walking out on a summer day. They have to be told, and they should be,

that it is not. There are warning signs on tobacco products. There are warning signs, when people go into bars and restaurants that serve alcohol, for particularly women who are pregnant or think they may be pregnant not to consume alcohol because of fetal alcohol syndrome. I don't see anything untoward in following the World Health Organization's dictates and simply having that kind of statement on the wall or next to the actual tanning bed so that people will have an opportunity to read it and make sure they understand it.

We need to have mandatory eyewear. Again, the World Health Organization said that people should wear those eye coverings when going into tanning salons because the ultraviolet light can actually harm retinas and can cause irreparable difficulties in sight. We need to make sure that, if people are going to use these facilities, they wear the mandatory eye coverings, because in the tanning salon it's just like staring into the sun. Although it may not seem as intense, it's just like that; you will harm the retina and you'll do it very fast.

We also need to make sure that we have client consent forms—again, the World Health Organization said that this was necessary—so there is proof that people are given the information that what they are doing may be harmful to their health, and before they are allowed to lie on the bed, they should have to sign that form and be so informed.

Having said that, I understand the whole argument about the nanny state. I understand that the regulations that would bring this about are problematic for some people who think we are mature adults and that we need not have the state intervene in what we want to do in our lives. But I've heard those same arguments throughout my life around cigarettes. I've heard those same stories told throughout my life about other dangerous things and dangerous factories. Quite frankly, there is a role for the state.

I commend the member for doing what he is doing. I absolutely commend him. It does need to go to committee, it does need to be strengthened and it does need to be mandatory, and not only for young people—all of those mandatory safeguards for those who are over the age of 18, who likewise need to be protected from something that is potentially a cause of cancer.

**Mr. Shafiq Qaadri:** First of all I would like to commend my colleague Khalil Ramal, from London—Fanshawe, for bringing forward this bill. I'd also like to recognize the very measured and civilized remarks of our colleague Michael Prue, from Beaches—East York. I'd also like to commend the very elegant sound and fury emanating from the MPP for Thornhill, having elevated the tone of the debate, essentially saying that this bill, which attempts to prevent cancer downstream for Ontario's population, particularly children, is a waste of time; essentially calling the MPP from London—Fanshawe stupid; and calling this debate garbage. I'd like to commend him for the continued thrust of the new John Tory civility in this House.

A couple of things were very important. My colleague the MPP for Thornhill essentially wanted to rely, as he



put it, on a loving parent, a loving mother, which of course is something we would absolutely support. Having said that, I would ask that loving mother to explain to me the difference in the margins between, say, a basal cell carcinoma, a squamous cell carcinoma or a melanoma; or when, for example, does solar keratosis actually graduate into a melanomic type of cancer; or what prolonged ultraviolet light exposure will actually interfere with DNA polymerase or ligase, enzymes that are responsible for healing normal wear-and-tear skin damage; or what should be the actual excision margins?

I cite all those particular issues, because those of us who are entrusted with using our various levels of expertise have that responsibility, brought to bear in coordination with first-class, world-class organizations like the Canadian Cancer Society, which is ably represented here.

I would concede one comment to the MPP for Thornhill, who asked for good governance emanating from this government. I would say that, in coordination with organizations like the Canadian Cancer Society, using our collective expertise, we, of course, must help and frame the debate and legislation and initiatives and regulations and laws and so on that will help, in our best interests, downstream protection from major killers, major disease domains.

For example, we have something on the order of 30,000—I repeat, 30,000—individuals who will be diagnosed with skin cancer in Ontario this year. For those of us who travel across Ontario in our various responsibilities, that's a pretty healthy-sized town, or perhaps two communities together. Of course, we, as physicians, deal not only with the problem where the lesion, as we say, or the offending cancer, is just on the skin, but also when that cancer decides to leave home, when that cancer, as we doctors would say, becomes metastatic and travels, say, to the brain or the liver or to other parts. Of course, these are very important issues.

I would absolutely commend the MPP from London—Fanshawe and his coordinated work with the Canadian Cancer Society, who are here to bear witness to this initiative and would hopefully negate a lot of the sound and fury emanating from the Tory side. They also deeply support the idea of no person under the age of 18 using artificial tanning equipment, of course addressing some of the enticements to youth under 18; the advertising, as was ably brought up by the MPP from Beaches—East York; and, of course, a number of different areas, including public awareness campaigns. At the end of the day, along with things like smoke-free Ontario, seatbelts and pesticides, that is how we guard the collective health of Ontario, and that is good governance.

**Mr. Kevin Daniel Flynn:** It is a pleasure to join the debate on Bill 83, and I want to commend the mover of this motion, the member for London—Fanshawe, for what I think is a very thoughtful bill.

The great thing about private members' time is that we can put our partisan differences aside. I thought the comments of the member for Beaches—East York today were right on the money as far as what private members' time should be all about.

When I heard the member from Thornhill speak, it went from mildly amusing to interesting to disrespectful, and at the end of it all, I think it was just downright silly and not in keeping with the tone of this place. I think that those of us who have been around for a little bit will understand that that's not what private members' time is all about; that's not what private members' bills should be all about. So I especially appreciate the comments of the member for Beaches—East York.

Private members' time allows us to give opinions through debate. So far today, I have heard from the member for Etobicoke North and the member for Oak Ridges—Markham, from the government side, and I have been having a conversation with the member for Bramalea—Gore—Malton. All three are health professionals. One is a medical officer of health and two are family doctors. They're speaking very, very strongly in support of this bill, and they're doing that for a reason.

#### 1510

There should be one thing that we should just take a look at here: "Those exposed to artificial tanning as young adults have a 65% increase in risk over those exposed later in life to developing skin cancer." That's very serious, and that's something that we can do something about. Whether you want to get into convoluted arguments about nanny states or convoluted arguments about governance, you can't lose sight of the issue that we have the ability in this House, by supporting this bill, to do something that's going to have a positive effect on the health outcomes of a great many of our young people.

You see a lot of emphasis today—I think in our term of government, you've seen a lot of emphasis on health promotion. You've seen the establishment of a Ministry of Health Promotion. In the past, I think we just concentrated on trying to cure illness, allowing people to get sick and then trying to find a way to get them better again. Now we've turned that on its head and we're trying to stop people from getting sick; we're trying to prevent the cancer in the first place. I think that the bill that's being put forward today, Bill 83, speaks directly to that. It has the support of the Canadian Cancer Society. Some of the facts that they have brought forward speak volumes about what good this bill can do; they say, "Overexposure to UVRs for children and adolescents plays a pivotal role in the likelihood of developing skin cancer later in life." What more evidence would a member of this House need, other than that, in order to support this bill?

As I said, we're promoting wellness now, instead of trying to cure sickness, and we've heard from health professionals from within our caucus, from within this House who have given us information that is right on the money, and it's something that we should be acting on and we should be prepared to act on. The other comments aside, which came from the member of Thornhill, I would hope that each and every other member of this House has the good grace to support this bill.

**The Acting Speaker (Mr. Jim Wilson):** Mr. Ramal, you have up to two minutes to reply.



**Mr. Khalil Ramal:** I want to thank the members from Oak Ridges–Markham, Beaches–East York, Etobicoke North and Oakville for their insightful and professional comments—and also the member from Thornhill; For a person who was a journalist sometime in his life, I think it's insulting to the people listening to us, especially if the cancer society was with us in the gallery here today—his comments.

One other thing that I think is insulting to all the people listening to us is that this member definitely didn't read the bill. He had no idea about the content of the bill. I guess he was speaking from anger, so I'm not going to listen to his comments and I'm not going to say anything. I want to agree with him on one thing: We should be banning the stupidity in this House. That's why it's important to us to bring issues that are important to our communities.

We listened to many professionals among us here today—two doctors spoke, and also the member from Beaches–East York and the member from Oakville—who know this issue very well and who have dealt with it in their lifetime in their past capacity as city members, doctors and mayors. The importance of prohibiting many bad things from being used in the community, from smoking by people under 19 to people who drive while they're drinking to banning cosmetic pesticides—all these initiatives are not stupid. They're not stupid. While you're trying to protect the health of people, I think it's a noble cause and it should be supported. Many people, not just those among us here, but also the people who are specialists, the Canadian Cancer Society, the World Health Organization, support this initiative. I think it's worth thinking about that.

It's important for all of us as members and as elected officials to support our people and to create a mechanism and a safety net to make sure our community is healthy and safe.

**The Acting Speaker (Mr. Jim Wilson):** We'll vote on this item in 50 minutes.

## FAIRNESS FOR FAMILIES ACT, 2008

### LOI DE 2008 SUR LE TRAITEMENT ÉQUITABLE DES FAMILLES

Mr. Hudak moved second reading of the following bill:

· Bill 88, An Act to provide fairness for families by amending the Taxation Act, 2007 to allow income-splitting for taxation between cohabiting spouses and common-law partners / Projet de loi 88, Loi prévoyant le traitement équitable des familles en modifiant la Loi de 2007 sur les impôts pour permettre le fractionnement du revenu entre conjoints ou conjoints de fait visés aux fins de l'impôt.

**The Acting Speaker (Mr. Jim Wilson):** Mr. Hudak, pursuant to standing order 97, you have up to 12 minutes for your presentation.

*Applause.*

**Mr. Tim Hudak:** I thank my colleagues for their kind applause; we'll see how the vote turns out. I thank my colleagues in advance for their comments. I look forward to them in debate on this exciting new concept, in the province of Ontario, of fairness to families through family filing, if you will, or joint income tax returns. I also thank in advance my colleagues Sylvia Jones, the member from Dufferin–Caledon, and Lisa MacLeod, the member from Nepean–Carleton, who will address this bill—two dynamic, young women who have joined the PC caucus in the last couple of years. I look forward to their comments.

I think we know that today, Ontario families face a significant number of challenges. When they see gas prices going up, mortgage costs increasing, the cost of food in the grocery store going up and 200,000 well-paying manufacturing jobs leaving this province, it puts a squeeze on the pocketbooks of many Ontario families.

Most importantly, we all know that families make decisions as families. They make major decisions together, not as groups of individuals. For example, if I were to try to replace my car or do a home renovation or go on vacation, I wouldn't dare make those types of significant decisions without first consulting my wife. Families consult on these types of decisions. The same type of framework should exist for taxation in our society, not as individuals, but as total income for a family unit, to reflect that the family, not individuals, is the basic decision-making unit in our society.

I think members know that this is not a new idea. It was raised some 40 years ago when Prime Minister Diefenbaker appointed the Royal Commission on Taxation, led by Kenneth Carter. The 1966 Carter report called for equal treatment of families who earn the same level of income, and for making total family income the basis for administering our taxes. In a nutshell, Bill 88, the Fairness for Families Act, would allow married or common-law couples to elect to file a joint tax return and pay taxes as a family unit, rather than simply as two individuals.

Now, we already know that benefits are not based on individual income; they're generally based on family income. In Ontario, the Ontario sales tax credit and the property tax credit, OSAP loans and grants, the Ontario child benefit, the Ontario child care supplement for working families and GAINS are based on family income at the provincial level; and federally, the Canada child tax benefit, the guaranteed income supplement and the GST credit as well. So the basis for benefits in our system is family income.

I'd argue, therefore, that the basis for the flip side—how governments raise revenue—should be through family income and not through individuals. We know as well that income-splitting is effectively allowed today in the province of Ontario but is chiefly the domain of wealthy individuals through setting up corporate structures. I would argue in the assembly today, and hope my colleagues would agree, that all Ontario families, no



matter what their income level, should benefit from the opportunity to split their income.

We may remember that the federal government's 2007 budget did take initial steps in this direction by allowing pension income to be split between married or common-law couples. The 2007 provincial budget similarly passed on income-splitting provincially for pension income. This act, if passed by the Legislative Assembly, would allow that benefit to go to all income that a family earns, not just pension income. It would bring about greater equity among single-earner or two-earner couples, ensuring that families with equivalent taxable income would pay the same amount of provincial tax.

Let me give you an example of how this works. Let's say there is a single-earner couple where one spouse makes \$70,000 a year and the other spouse stays at home. Right next door is another couple who make \$35,000 each. The single-earner couple would pay a total of \$14,165 in federal and provincial income taxes. The two-earner family, with each earning \$35,000, the same level of total family income, would pay a combined \$10,364—a difference of \$3,801 or \$316 per month—a significant tax difference. That is categorically unfair.

1520

This bill, if passed, would deal with the provincial level. We can't influence the federal level, but, hopefully in supporting this act, we can signal to the federal government to go the distance and allow income-splitting across all families in this country.

Again, benefits are based on family income. This is currently available to wealthy Ontarians through various corporate structures. The federal budget made initial steps for pension income-splitting, and it reflects the reality of Ontario families today that make decisions as a family, not as a group of individuals.

So back to my example of the single-earner couple that chooses to have one spouse stay at home and has a tax penalty of \$3,801 per annum in combined federal and provincial income taxes: I do not believe that government policy should penalize couples who choose to have a stay-at-home spouse or a spouse working part-time. Government policy should be neutral and allow families to choose whatever structure is the best option for their home.

It's not just me saying this. I think my colleagues will know that a significant part of the world's population has this type of regime. France, Germany, the United States, the Czech Republic, Ireland, Luxembourg, Poland, Switzerland and Portugal, to name a few, have addressed this tax penalty that's imposed in Canada and in Ontario on families that choose to have a stay-at-home spouse or a spouse working part-time. We should join those 20 other countries and allow for income-splitting in the province of Ontario.

Let me tell you about friends of ours, a dual-income family. One worked in public relations; another actually worked here at Queen's Park. Like many of your staff members, the individual worked for a minister at the time. They had a little girl, and a decision was made that

the husband, who worked in politics, would resign from his job to help raise their daughter. The wife continued on in public relations. They made that decision at significant financial sacrifice so they could invest in their daughter's future. If they make that choice, a legitimate choice, they should not suffer an additional tax penalty. Again, we should be neutral in those decisions; let families make their own.

When I introduced this bill for first reading last week, I received a number of e-mails, and I thank those at home who took the time to send in e-mails. Let me give you an example of somebody who wants to see this bill passed into law.

This woman wrote in. She and her husband have five children. One was born with a severe hearing impairment and requires diagnoses, surgeries, speech therapy and speech tutoring. She has two children who are dyslexic, who require extra one-on-one work in tutoring to help them overcome their disability. They made the difficult choice that she would stay at home to help out with the children, and now, because of that extra attention, the dyslexic children are doing very well and they're continuing on in French immersion programs in our school system. She guarantees that her children would no longer be in immersion if a parent didn't make the time to dedicate to their additional educational requirements, in this circumstance by staying at home.

Why should her single-income family of five children pay significantly more in income taxes compared to a dual-income, five-member family with exactly the same income? That is unfair and needs to change here in the province of Ontario.

We've had a number of groups that have been kind enough to send in their support for Bill 88. David Quist, the executive director of the Institute of Marriage and Family Canada, said: "I am pleased to see that MPP Tim Hudak has recognized the financial burden that many families are under. His private member's bill, the Fairness for Families Act, will lighten this financial burden for many families."

Sara Landriault, president of the National Family Childcare Association, said: "The NFCA would like to thank Tim Hudak for introducing Bill 88 into Queen's Park. This is a major step towards a family tax fairness policy for Ontario families. Bill 88 is a progressive tax bill that will bring all working families on an equal economic level, without discrimination. Bill 88 will give parents the freedom to raise their children the way they see fit and not be financially discriminated against."

Kate Tennier, the founder of Advocates for Childcare Choice, said: "I spoke with countless Canadians, many of them Ontarians, about their desire to have child care choices remain in families' hands. But what my fellow citizens repeatedly told me was what they really wanted was income-splitting. Young, old, left, right, single- and double-earning families alike are united in this view for two reasons: Not only is it the fair thing to do, but it sends a strong message that families are the primary social and economic unit in our society."



My last major point in this discussion: As you know, Ontario is likely on the brink of recession. We've seen some 200,000-plus well-paying manufacturing jobs leave our province. We've seen families' budgets squeezed by higher gas and food prices and higher taxes.

Let's say, by way of example, that a steelworker in Hamilton living in my riding of Glanbrook recently lost his job. His wife is working. She makes about \$60,000 a year. He has gone down from a well-paying job, working part-time to try to make ends meet at \$10,000 a year. Under this scenario of income-splitting, they combine their income and pay much lower income taxes, saving them about \$1,041. It's not a huge amount of money when you lose a well-paying job in manufacturing, but it will help this family to get through difficult times. Considering financial circumstances, and that we've lost 36,000 talented Ontarians to other provinces, I think this is an important economic measure to help families like those in Glanbrook adjust to these circumstances.

I recognize that Bill 88 may not be a perfect bill. The Fairness for Families Act is right in principle. If there are ways to improve it through committee, I look forward to that. I look forward to working with my colleagues in the government and the third party, and my own Progressive Conservative caucus, to make this bill the best it can be.

I want to thank Michael Wood of legislative counsel in helping with this bill, and Kayla Monteiro, my intern, and Trisha Rinneard, my chief of staff, for their help.

I believe that if members of all three parties rise in support of Bill 88, it will send the strongest of signals to the federal government to demonstrate that Ontario supports fairness for families, and then will help extend it from ocean to ocean for all families across Canada. Filing joint taxes will modernize the way our tax system works, reflect the complexity of our times and the higher cost of living, and support families facing difficult choices in difficult circumstances. If one spouse chooses to stay at home to help a disabled daughter, she or he should not be punished with higher taxes by the provincial government for making that decision. The choice to stay at home, sadly, is too often left only to the wealthiest in society.

I ask my colleagues for their support to pass this legislation and bring fairness to all Ontario families.

**The Acting Speaker (Mr. Jim Wilson):** Further debate?

**Mr. Wayne Arthurs:** I'm pleased to join the debate this June afternoon on Bill 88, the Fairness for Families Act, introduced by the member from Niagara West-Glanbrook.

I just want to go over very quickly my general understanding of the bill and then some further comments. The bill as presented, as I understand it from the member, would allow for married and/or common-law couples to elect to income-split their provincial income tax. This would take effect on or after December 31, 2009. It would be effective either in full, i.e., a full calendar year, or in part of a calendar year. So if a couple were together in a married relationship, a common-law relationship,

whatever that might be, or a partnered relationship for some part of the year, then they would carve out a proportionate amount of that year that would allow them to income-split during that period of time. That presents its own modest difficulties. Nonetheless, as I understand the bill in general, that's the intent, and the objective would be to see a family income scenario or a couple's scenario whereby, combining those incomes and jointly submitting, they may find themselves in a position of some reduction in the income tax payment to the province of Ontario. Without getting into detail, that's the thrust of it.

There are some issues that I want to raise with respect to the bill that I think are important, not the least of which is that the bill—many private members' bills tend to be thin. It's not unusual for someone to stand in the House—I've heard it said on more than one occasion—and say, "That's a pretty thin bill. It's only two pages long." The shortcoming of that is that bills of this nature are such that they don't have depth, and you can't have the depth available that the government can put together with all their research capacity.

1530

What's missing in part, in my view, is the debate and the fulsomeness of debate around: What's the cost? As the savings accrue, there has to be a cost to the revenue of the province of Ontario that I suspect is potentially rather significant. And to have the revenue streams necessary to provide the service in Ontario, we have to presumably recover those resources in some fashion or adjust spending and service programs accordingly.

I think there's a significant matter around what this means in a very broad sense—the implications to the fiscal house of Ontario. It's more than just the desire of families. Whether they have children or don't have children, whether it's a spousal relationship or a simpler common-law relationship, that affects them. This potentially affects the fiscal house of the province in a substantive way.

There is another matter in respect of the bill. The owner of the bill, the member from Niagara West-Glanbrook, maybe has glossed over a little bit, although, in some of his comments, as he speaks to sending a signal to the federal government that would see this extended from sea to sea to sea—my understanding is that, under our agreements with the federal government, Ontario would not be able to allow couples to jointly file their income tax: this would require an amendment to the federal Income Tax Act.

Often, in this Legislature on a Thursday afternoon, we have either private members' bills that the government of Ontario, if they were adopted, could then enact and actually put into place and formulate, or motions that come to this House that provide a degree of desire, direction, or enhanced debate of some sort that draws to the public attention a particular strategy, desire or need that has broad public support. I'm not sure, based on the context of the provincial government's relationship with the federal government as it comes to tax collection, that



a bill that would effectively make a statement about what the intent would be of a joint submission but under our agreement with the federal government couldn't actually be enacted, would be fair to the constituents of Ontario—having a set of expectations that can't actually be fulfilled unless the federal government chose to amend the federal Income Tax Act to allow it to occur.

I'm hoping that the member will be able to provide some clarity in that regard, this issue of sending a signal to the government on income-splitting to all families as opposed to being able to enact such, readily.

I mentioned earlier, at the beginning, some of the cost issues and having a handle on what that would mean to us. Certainly, all of us within our ridings in Ontario have projects and initiatives that we want to see undertaken, and we can only achieve those with the resource capacity that's available. The member opposite, within his own jurisdiction and on a number of occasions during budget and otherwise, has pressed the case for revenue streams into his riding that would support business and industry, families, transportation and the like within the riding. I'm always concerned when we begin to diminish the capacity by reducing the tax burden, through income-splitting, as an example, and not knowing how we're going to offset that revenue stream and still be able to continue the activities that we want to undertake.

Recently, as the member spoke about, the federal government introduced income-splitting, and opted to do it in a very limited fashion. They opted to do it in respect of certain forms of pension income-splitting. They didn't even extend it fully across the range of a population group, of seniors. They chose to do that with pensioners. They were far more specific in doing that. I would suggest that they may—and I can't speak for them but, in my mind, I would suggest that potentially they were testing the waters to see how effective this strategy was.

What's proposed here is a far broader perspective on income-splitting in Ontario without having the test of time, even of what we've undertaken in response to the federal initiative, to do the same thing provincially. There are jurisdictions, I understand—and the member spoke to those—that are moving, or have moved, to joint submissions, income-splitting. My understanding is, there are jurisdictions that are moving away from it. Among that list, as I understand it, are countries like Austria, Belgium, Denmark, Finland, Italy, the Netherlands, Spain, Sweden and the United Kingdom. There are those who are moving in different directions. Not all are moving in exactly the same direction in respect to income-splitting at this point in time.

Although I'm appreciative of the member's initiative to find ways for couples to be able to maximize their tax-benefit opportunity, I'm not convinced at this point in time that income-splitting, broadly, in the province of Ontario is where we want to be, based on Bill 88, as we have it before us.

**Ms. Lisa MacLeod:** It's a pleasure to support my colleague from Niagara West—Glanbrook on his private member's bill. He has been a very effective finance critic

for our party. He always brings to the floor of this Legislature progressive ideas on the fiscal front. This bill is no different.

In fact, I'd urge all members of the Legislature to support this bill on income-splitting, because it is a sign of the changing times in this country. It is really about fairness for all Ontario's families. As a mother who had the great fortune of staying at home with my little girl for the first year of her life, I can tell this chamber that there are few greater rewards in this life than time with our children: to help them grow, to care for them and to let them know that they are part of strong families.

Should one parent in a home choose to stay at home to care for their child, I would argue that they should not be penalized by a tax regime that does not take into consideration these circumstances. It is a fact that in Ontario and across Canada, single-earner families pay much, much higher income taxes than dual-income families. That hardly seems fair to me. That's why I support a more fair and equitable system. I agree with my colleague for Niagara West—Glanbrook that families should be able to income-split if only one member of the family is taking in pay. I would say "earning a pay," but that would be incorrect.

I know a lot of stay-at-home moms, and I will tell you that right now, they have earned our respect, and they deserve fairness. The jobs they do, and the jobs stay-at-home dads do, are as tough as any other job in this province. It is high time that this chamber and this government recognized that. This bill put forward by my colleague, the Fairness for Families Act, would correct the inequality that these families face in the tax regime. I think income-splitting that is extended to all Ontario families is common sense. It is the right thing to do.

I want to share excerpts from an e-mail sent to me by Natalie Gallimore from my city of Ottawa. She wants this chamber to know that there are several scenarios of why one parent may take in significantly less pay than another. She says:

—"one person has a very demanding job, with travel and long or odd, hours so most of the family/household responsibilities fall upon the other adult, who chooses to have less, or no, paid employment in order to establish a work-family balance;

—"the family decides to home-school;

—"one adult decides to go to school themselves;

—"there are disabilities or critical illnesses within the family (physical or mental);

—"there are caregiving responsibilities for older members of the extended family; and

—"there is a calling for volunteer or charity work."

I have friends and constituents who live all of those scenarios. My friend Charlene is a stay-at-home mother. She has three beautiful girls, and she cares for her disabled sister. Her husband, Bruce, is as involved in the community as she is. He's an economist.

I don't understand why they should be penalized by our current tax regime. Charlene's work is every bit as important as any other person's work in this province.



We should be encouraging her and more men and young women to follow their calling, regardless of what it is, not to abandon it. This bill put forward by my colleague from Niagara West—Glanbrook will help them.

1540

With the exception of seniors who can now enjoy some income-splitting measures, Ontario's young families, those who are trying to put their children through school, through soccer and other extracurricular activities are being treated as unequal if one parent chooses to work inside the home. It is the single-income family under the age of 65 who suffers under this government's current tax policy, particularly when they are compared to dual-income families who are basically earning the same pay. I think we need to change that.

We need fairness, and I would argue we need fairness for all families. If a mother wants to stay at home to care for her children, or if a father wants to go back to school to improve his family's quality of life, why should they be paying more taxes than a family in the same neighbourhood, making the same annual household income, but who are dual-income earners?

This bill will level the playing field by amending the Taxation Act. It means families with equivalent taxable income would finally pay the same in provincial taxes. My friend Sara Landriault supports his bill. She feels this bill "will bring all working families on an equal economic level without discrimination, and that it will give parents the freedom to raise their children the way they see fit and not be financially discriminated against." I agree with her. Time and again I hear concerns, particularly from my residents in Nepean—Carleton. We boast one of the highest birth rates in all of Canada, and that's why these issues of fairness—and let's not forget parental choice—are top of mind for me and for the constituents I represent. Under the principle of fairness and the spirit of parental choice, I wholeheartedly agree with my colleague from Niagara West—Glanbrook. I will be supporting Bill 88.

Like Sara Landriault asks, and I will conclude on this: "Why will the government allow me to income split if I am divorced but not while we are married? A true feminist believes in equality for a woman whether she is married or single." The fact of feminism, she says, is that "we should all be treated equally in all aspects of our life. Unfortunately, without income-splitting, women at home are not equal." I agree with Sara and I agree with the member from Niagara West—Glanbrook.

**Mr. Michael Prue:** I am rising to speak to Bill 88, put forward by my friend and colleague from Niagara West—Glanbrook. I must state at the outset that I will not be supporting the bill, but this is private members' business and I understand that my colleague from Welland may be speaking to it and may in fact support the bill. This is private members' public business, as I said during the last debate; we have to kick around ideas, and it is not bound by party policy.

My own review of the bill shows as follows. This is intended so that people who are married or living in a

common-law relationship will be able to file a joint tax return and be allowed to conduct income-splitting. In virtually every case where income-splitting is undertaken, it is done by those people to reduce their level of taxation. People don't income split to raise their taxation. It doesn't happen. They don't do it. They don't want it to raise their taxes; they want it to reduce their taxes.

So let's be very clear what this is about. This is a measure that will help some people to reduce the level of taxes that they pay. Who wants the taxes reduced? Maybe some would say all Ontarians, but primarily, those fighting for reduced taxes are those at the higher income levels who have the highest rates of taxation in a progressive tax system; they are looking for ways and means to reduce that taxation. This is one of the ways that has been suggested by groups like the Canadian Taxpayers Federation, by some right-wing think tanks that will in fact allow people who earn good money to help reduce their taxes, particularly in the event that their spouse earns little or no money at all.

It will have three effects if it is passed. The first is that it will benefit those who are in the higher tax brackets much more than it will benefit people in lower income tax brackets. Even though there are couples where one spouse works and the other doesn't, in both brackets those who earn a lot of money stand to benefit a lot more than those who earn less. The second thing that will happen is that it will reduce the premise that we as Canadians and Ontarians have adopted, for at least a couple of generations, a graduated income tax; that if you earn more money, you are expected to pay more money towards the income tax and the upkeep of the system. The third and final effect it will have is that it will reduce treasury revenues. If it is adopted across Canada, and if we are in sync with the federal government, it will reduce revenues significantly. I will deal with the approximate amount towards the end of my speech. So it will have those three effects.

My colleague from Niagara West—Glanbrook quoted a number of things, but it follows on statements that have been made for the past number of years by the Canadian Taxpayers Federation. They use exactly the same argument, and I was pleased to hear him make exactly the same one: that one spouse earning \$70,000 a year and another zero will pay about \$361 a month—the figures are identical—versus those two spouses who earn \$35,000. They use the same argument: that it will help stay-at-home moms and people who want to go back to school and that kind of stuff. They said, and Mr. Hudak, my friend from Niagara West—Glanbrook, used the same argument as well, that it will assist—it's already been worked out for elderly couples on pension income.

However, I have to point out that most tax experts in Canada do not agree with this proposal. Most tax experts in Canada believe this will not do what it intends to do, and they correctly note that income-splitting is not a step to a more equitable tax regime. My friend quoted the number of countries that have such a scheme, and in fact they do. He quoted seven or eight of them. In fact, 21 out



of 30 OECD countries do not allow for income-splitting. Although he is correct in naming the seven or eight that do, the majority do not.

There's a good reason for that, and that is the cost to the treasury. The cost to the treasury is estimated to be about \$5 billion if undertaken by the federal government, and the cost of his proposal to the treasury of Ontario is estimated at being about \$2 billion. If people think we can get by with \$2 billion less, then I think he has an obligation, and people who support this have an obligation, to say, "Where would we cut that \$2 billion? Where would the cuts take place?" We have a \$95-billion budget. I've heard my colleague speak many times about cuts that the current government could make, but I think it behooves all of us to understand that if we were to pass this, and if this bill was to go to committee and pass, where would the government find its other \$2 billion? Or would we cut services to do it?

We have another difficulty: living next to the United States, which does have a form of income-splitting and allows for joint filing. But it creates what in the United States tax parlance is known as marriage penalties. It shows that if two spouses have similar incomes and are required to file jointly in the United States—which happens—unless there is a disparity in their incomes, if they earn more or less the same, then actually couples end up paying more for their taxes than two singles in the United States.

This is a disincentive for families. It is a disincentive for people to stay together. It is a disincentive for people to cohabit or to get married. It is a disincentive if the couples earn approximately the same salary. It only works, and this will only work, where one person in the couple earns significantly less than the other.

1550

I'm going to close with this and leave time for my colleague from Welland. We also have the difficulty of coordinating the federal and provincial tax regimes. If Ontario were to go this alone—and I don't know whether we could—it would be very difficult to coordinate that with the federal income tax system. It will require, if it is passed here, that a similar move be made in Ottawa. I have not seen that there is a stomach for that, because I have not seen the government in Ottawa, albeit a Conservative one, willing to forgo the approximately \$5 billion that this will cost.

A lot needs to be done if it is passed. A lot needs to be done in terms of coordination, of finding the revenue, of making it fair to couples who have like salaries versus those where one has an inordinately higher salary than the other. I just find, as an idea, it is not as progressive as it is made out to be. We have adopted a system of taxation in this country and this province that is graduated and, in my view, is fairer than that which is being proposed. Unfortunately I cannot, as an individual member, support this bill.

**Mr. Khalil Ramal:** Thank you for giving me a chance to comment on Bill 88, An Act to provide fairness for families by amending the Taxation Act, 2007 to allow

income-splitting for taxation between cohabiting spouses and common-law partners. I know the member from Niagara West—Glanbrook has a passion in this area, and from his own ideological philosophy, I think it's important to his constituents.

I was listening to both the member from Pickering—Scarborough East—the PA for the Minister of Finance—and the member from Beaches—East York. They raised very important concerns about how we can implement this bill, if we support it in this place, since all the tax regulations are controlled and regulated by the federal government, and whether the federal government is willing to amend the Taxation Act or they want to leave it as it is. According to the collective agreement between us and the federal government, we cannot change anything without their amendment. Therefore, if we pass it here, it's not going to go anywhere, because it's controlled by the federal government.

Second, as was raised by both the PA and the member for Beaches—East York, if we do that, it's going to affect our treasury a great deal. As the member for Beaches—East York mentioned, it would cost Canada almost \$5 billion, and Ontario \$2 billion. That's a lot of money that would enable the government, enable us, to provide services for many different areas, whether health care, education, municipalities, tourism. Many different areas are crying for money. Also, I think it's important to remember that whatever we implement in this place is going to affect the lives of the people of Ontario, whether negative or positive.

I think the member from Niagara West—Glanbrook believes strongly that this is the best way to support families. I respect his idea and his direction, but as a matter of fact, when we introduce anything in this place, we have to remember the side effects in other areas. As I mentioned, it's going to cost the treasury a great deal of money, and we cannot afford it. Even if we passed this bill, we have no jurisdiction to make a change without an amendment from the federal government.

In the end, as has been mentioned, it's a private member's bill. Any member can introduce whatever they want and raise any issue, whether a motion or a bill, in order to create awareness among us and also send a message to the people of Ontario.

I think this bill would cause damage for the treasury, would cause trouble for us, and according to the agreement between us and the federal government, we cannot pass it and implement it. Hopefully, by good connection with the federal government, especially the finance minister of Canada—he was a member here and a former colleague—maybe you'll be able to convince him to do something about it, to bring in some kind of amendment that would allow us as a province to do so.

**Ms. Sylvia Jones:** I'm pleased to join the debate today and support my colleague the member from Niagara West—Glanbrook on his legislation, Bill 88, the Fairness for Families Act.

I commend the member for bringing forward this legislation because it is a bill that deals with practical issues



facing a lot of families in Ontario. It is not uncommon for families across Ontario to have a single earner, and for these families to pay a higher rate of income tax than a dual-income family with the same income is unfair.

As the Progressive Conservative critic for community services, I'd like to speak to the fact that many families with a disabled child are single-earner families. One parent will go to work while the other remains at home to look after their disabled child. In most cases there are additional expenses for education, care at home or supportive equipment. Income-splitting is an excellent way to provide support to families who have children with a disability.

Bill 88, the Fairness for Families Act, represents an opportunity for this Legislature to help single-income families in a real way. It tells Ontarians that the Ontario Legislature cares about families.

Since becoming the PC critic for the Ministry of Community and Social Services, I've heard from many families who have expressed concerns about the current Passport program that the community and social services ministry has put together. In many regions of the province, there are less than 10% application approval rates. This means that 90% of the families will not receive the funding they need.

Regardless of the reason the Passport funding was denied, the fact remains that parents still have to take care of their children. One parent decides to remain at home to provide the care needed for their child. Despite receiving no provincial support, the working parent is taxed at a higher rate than a dual-income family earning the same income. Taking into consideration the fact that raising a child with special needs does involve more resources than a child without special needs, the system is not treating them fairly. In fact, it penalizes them for staying home.

I encourage all members to support Bill 88 today. It would give financial support to all families, and in particular to families with a disabled child.

As I indicated earlier, support for families can be in many forms. A package of measures can improve real financial support for families.

Today, I had the opportunity to introduce a private member's bill, the Social Assistance Statute Law Amendment Act (Registered Disability Savings Plans). The bill is aimed at stopping the provincial government from clawing back disability benefits based on investments into the federal registered disability savings plan, or RDSP. The registered disability savings plan was introduced by the federal government in the 2007 federal budget to assist parents to save for the long-term financial support of children with severe disabilities. The federal government asked provinces to ensure that investment in an RDSP would not result in a reduction of provincial disability benefit payments. Both British Columbia and Newfoundland proactively moved forward to exempt RDSPs as assets in determining eligibility for disability benefits. Unfortunately, Ontario has not made this change, so families, if they invest in their children's

future, will have their disability payments clawed back. I hope all members will support this legislation to prevent a clawback from happening.

Imagine if we improved income-splitting today by passing Bill 88 and then passed my private member's bill so parents with disabled children could invest in their children's future. Imagine if we cared enough to provide a range of support to families. Imagine if the Liberals across the aisle were willing to recognize innovative proposals from private members and support their passage because it would assist families in Ontario.

Let's go back for a moment to private members' public business two weeks ago. The Liberal government voted against, and therefore defeated, the bill introduced by my colleague the member from Thornhill, Bill 78, An Act to provide property tax deferrals to low-income seniors and low-income persons with disabilities. I must say that I'm very disappointed that this bill did not pass. If this bill had been passed by the Legislature, it would have improved the lives and financial situation of many low-income seniors and persons with disabilities.

Community Living Ontario told me that they were supportive of the innovative idea from Peter Shurman, the member for Thornhill. Adults with disabilities who own their own home could have benefited, as it would have provided much-needed tax relief that would have allowed them to continue to live independently. Bill 78 would have created a province-wide and provincially administered program whereby low-income seniors and disabled persons could defer property tax payable on properties such as their residence. Voting against Bill 78 was a lost opportunity for the McGuinty government to provide tax relief to help persons with disabilities.

Again, why can't we as legislators embrace good ideas and make a real difference for families?

1600

I urge all members to work together today to pass Bill 88. The measures proposed in this bill present the Liberals with yet another opportunity to provide financial help for families with a disabled child. I hope the opportunity is not overlooked or ignored, but rather that every member of this House will see the importance of the measures contained in Bill 88 and recognize that help would be provided to families.

**Mr. Peter Kormos:** I'm pleased to be able to join in the debate. My colleague Mr. Prue, the member for Beaches-East York, whom I listened to carefully during his comments, was quite right when he suggested that I'm going to be supporting this particular bill. I listened carefully to Mr. Prue's comments about the bill. I spoke with him before this debate began and I have a great deal of regard for his perspective on these sorts of things. He knows all about this stuff.

But just briefly, the issues that have been raised and concerns that appear to be raised by the government members—for instance, about the undue benefit to overly wealthy people, the obscenely wealthy, the disgustingly wealthy, the Conrad Blacks of the world. Obviously, the Conrad Black scenario would be the worst-case scenario



described by Mr. Prue, when you talk about high-income people being able to split income. Conrad Black, for one, is very unlikely to want to share any of his income with Barbara Amiel. He probably has lawyers working overtime to make sure that she couldn't access any of his assets if her life depended on it. But one of the propositions to that and one of the responses could be to simply cap the amount of money that could be transferred over to a spouse for income tax purposes. That would address that problem.

Overall revenue issues: That's a red herring. Governments have revenue targets, they have revenue needs and they have to generate that amount of money. What that results in is cross-subsidization from one taxpayer to another. Inevitably, when you reduce somebody's tax burden, somebody else's tax burden goes up. As a New Democrat, as a lefty, I think that's an ideal opportunity to increase the taxes of the very wealthy, and I'm pleased to see that my colleague Mr. Hudak proposes a scheme whereby the tax burden will be more fairly shifted onto the very wealthy. Seriously, this could be perceived as a very enlightened piece of legislation, because the Hudak formula here is one that would make the rich pay, while hard-working people get a bit of a break.

The fundamental element here that makes this most attractive to me is that this allocates value to the work of a homemaker. I think that's something all of us should be very conscious of. This gives value to the work of the homemaker. Women or men who don't work outside the home but certainly work inside—caring for children, raising children, caring for their family—work incredibly hard. In many cases, they work far harder than their spouses. That's an undeniable reality. Short of divorce and marriage breakdown, there's rarely an opportunity to ascribe monetary value to that, and I say that's regrettable. I think what this bill does is it ascribes monetary value; it recognizes the economic value of a homemaker who forgoes a career to be at home to care for a spouse, a family, to raise children and to care for a household.

Finally, this is the sort of bill that should go to committee. Once it goes to committee and it's dealt with by committee, the government controls it. The government doesn't ever have to call it again. Here we are in private members' public business, you've got a member of this Legislature who comes forward with a creative solution to an acknowledged problem, and I say he deserves the opportunity to make his case in committee.

**The Acting Speaker (Mr. Jim Wilson):** Mr. Hudak, you have up to two minutes for your reply.

**Mr. Tim Hudak:** I thank all of my colleagues for their contributions. Let me address some of the issues. The Liberal position is a curious one which seems to support the principle, but their answer is that they just don't want to do it quite yet. They don't actually have a clear position on the concept of allowing income-splitting. This is allowed to families in France, in Germany, in the United States, in Portugal and in the Czech Republic, to name but some.

They throw up an administrative issue and say that, because of the federal-provincial tax administration agreement, this is not possible. That's actually not true. We could administer this regardless of the administration agreement.

What I've tried to do, in crafting Bill 88, is to craft it in such a way that is consistent and allows that agreement to continue. I've said that if amendments can be made at committee to improve the bill, to maintain that consistency with the tax collection agreement, I welcome it. If the government wants to address this purpose of fairness for families through other means, I welcome that as well. I'd certainly be supportive. The point is that we need to achieve the principle of fairness for families and not to punish, with higher taxes, families who choose to have a stay-at-home spouse or one who works part-time.

The government also raises a spectre of revenue loss. I estimate about \$1 billion is the revenue loss that would occur. That's basically one cent on the dollar when this bill would be implemented in fiscal year 2009-10. Heck, their end-of-year slush funds are \$2.5 billion spent in one month alone.

Mr. Kormos, my colleague from Welland, has a very good point, by the way: Wealthy Ontarians largely, many of them, currently have this opportunity to split income through various corporate structures. Why can't we extend the same opportunity to split income among spouses that is available to wealthy Ontarians to average working families across the province of Ontario? He's right as well that it equates values to the work of a stay-at-home spouse. If the husband or wife stays at home or works part-time to support a child, this would recognize that as well.

I do hope for the support of all members and look forward to making improvements to the bill at committee.

**The Acting Speaker (Mr. Jim Wilson):** The time provided for private members' public business has expired.

#### HANDGUN MANUFACTURERS' AND IMPORTERS' LIABILITY ACT, 2008 LOI DE 2008 SUR LA RESPONSABILITÉ DES FABRICANTS ET DES IMPORTATEURS D'ARMES DE POING

**The Acting Speaker (Mr. Jim Wilson):** We will deal with ballot item number 31, standing in the name of Mr. Flynn.

Mr. Flynn has moved second reading of Bill 82, An Act to make manufacturers and importers liable for harm caused by the unlawful use of handguns. Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

**Mr. Kevin Daniel Flynn:** Could I have this bill referred to the Standing Committee on Justice Policy?

**The Acting Speaker (Mr. Jim Wilson):** Shall this bill be referred to the Standing Committee on Justice Policy? Agreed.

## SKIN CANCER PREVENTION ACT, 2008

LOI DE 2008 SUR LA PRÉVENTION  
DU CANCER DE LA PEAU

**The Acting Speaker (Mr. Jim Wilson):** We will now deal with ballot item number 32.

Mr. Ramal has moved second reading of Bill 83, An Act to help prevent skin cancer. Is it the pleasure of the House that the motion carry? I hear a no.

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. Carried.

*Second reading agreed to.*

**Mr. Khalil Ramal:** Could we send the bill to the Standing Committee on Social Policy?

**The Acting Speaker (Mr. Jim Wilson):** Is it agreed that the bill be sent to the Standing Committee on Social Policy? Agreed? Agreed.

## FAIRNESS FOR FAMILIES ACT, 2008

LOI DE 2008 SUR LE TRAITEMENT  
ÉQUITABLE DES FAMILLES

**The Acting Speaker (Mr. Jim Wilson):** We'll now deal with the next ballot item.

Mr. Hudak has moved second reading of Bill 88, An Act to provide fairness for families by amending the Taxation Act, 2007 to allow income-splitting for taxation between cohabiting spouses and common-law partners. Is it the pleasure of the House that the motion carry? I heard some noes.

All those in favour of the motion will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1608 to 1613.*

**The Acting Speaker (Mr. Jim Wilson):** Mr. Hudak has moved second reading of Bill 88. I'd ask all those in favour to stand and remain standing.

## Ayes

Dunlop, Garfield  
Elliott, Christine  
Hudak, Tim  
Jones, Sylvia

Klees, Frank  
Kormos, Peter  
MacLeod, Lisa  
Miller, Paul

Savoline, Joyce  
Sergio, Mario  
Shurman, Peter

**The Acting Speaker (Mr. Jim Wilson):** All those opposed, please stand and remain standing until you are recognized by the Clerk.

## Nays

Albanese, Laura  
Arthurs, Wayne  
Balkissoon, Bas  
Bentley, Christopher  
Best, Margaret  
Brotten, Laurel C.  
Cansfield, Donna H.  
Colle, Mike  
Delaney, Bob

Dickson, Joe  
Flynn, Kevin Daniel  
Fonseca, Peter  
Jaczek, Helena  
Jeffrey, Linda  
Moridi, Reza  
Phillips, Gerry  
Prue, Michael  
Qaadri, Shafiq

Ramal, Khalil  
Ruprecht, Tony  
Sandals, Liz  
Smitherman, George  
Sousa, Charles  
Van Bommel, Maria  
Wynne, Kathleen O.

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 11; the nays are 25.

**The Acting Speaker (Mr. Jim Wilson):** I declare the motion lost.

*Second reading negated.*

**Hon. Gerry Phillips:** Mr. Speaker, I move adjournment of the House.

**The Acting Speaker (Mr. Jim Wilson):** All those in favour? Adjourned.

*The House adjourned at 1616.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Albanese, Laura (L)	York South–Weston / York-Sud–Weston	
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Arthurs, Wayne (L)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (L)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (L)</b>	Sudbury	Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels
<b>Bentley, Hon. / L'hon. Christopher (L)</b>	London West / London-Ouest	Attorney General / procureur general
Berardinetti, Lorenzo (L)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (L)</b>	Scarborough–Guildwood	Minister of Health Promotion / ministre de la Promotion de la santé
Bisson, Gilles (ND)	Timmins–James Bay / Timmins–Baie James	
<b>Bradley, Hon. / L'hon. James J. (L)</b>	St. Catharines	Minister of Transportation / ministre des Transports
Brotten, Laurel C. (L)	Etobicoke–Lakeshore	
Brown, Michael A. (L)	Algoma–Manitoulin	
Brownell, Jim (L)	Stormont–Dundas–South Glengarry	
<b>Bryant, Hon. / L'hon. Michael (L)</b>	St. Paul's	Minister of Aboriginal Affairs, government House leader / ministre des Affaires autochtones, leader parlementaire du gouvernement
<b>Cansfield, Hon. / L'hon. Donna H. (L)</b>	Etobicoke Centre / Etobicoke-Centre	Minister of Natural Resources / ministre des Richesses naturelles
<b>Caplan, Hon. / L'hon. David (L)</b>	Don Valley East / Don Valley-Est	Minister of Public Infrastructure Renewal / ministre du Renouvellement de l'infrastructure publique
<b>Carroll, Hon. / L'hon. M. Aileen (L)</b>	Barrie	Minister of Culture, minister responsible for seniors / ministre de la Culture, ministre déléguée aux Affaires des personnes âgées
<b>Chan, Hon. / L'hon. Michael (L)</b>	Markham–Unionville	Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration
Chudleigh, Ted (PC)	Halton	
Colle, Mike (L)	Eglinton–Lawrence	
Craitor, Kim (L)	Niagara Falls	
<b>Crozier, Bruce (L)</b>	Essex	Deputy Speaker, Chair of the committee of the whole House / Vice- Président, Président du Comité plénier de l'Assemblée législative
Delaney, Bob (L)	Mississauga–Streetsville	
Dhillon, Vic (L)	Brampton West / Brampton-Ouest	
Dickson, Joe (L)	Ajax–Pickering	
DiNovo, Cheri (ND)	Parkdale–High Park	
<b>Dombrowsky, Hon. / L'hon. Leona (L)</b>	Prince Edward–Hastings	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
<b>Duguid, Hon. / L'hon. Brad (L)</b>	Scarborough Centre / Scarborough-Centre	Minister of Labour / ministre du Travail
<b>Duncan, Hon. / L'hon. Dwight (L)</b>	Windsor–Tecumseh	Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Flynn, Kevin Daniel (L)	Oakville	
<b>Fonseca, Hon. / L'hon. Peter (L)</b>	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Tourism / ministre du Tourisme
Gélinas, France (ND)	Nickel Belt	
<b>Gerretsen, Hon. / L'hon. John (L)</b>	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / ministre de l'Environnement
<b>Gravelle, Hon. / L'hon. Michael (L)</b>	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Hampton, Howard (ND)	Kenora–Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie (PC)	Oxford	
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
<b>Horwath, Andrea (ND)</b>	Hamilton Centre / Hamilton-Centre	Third Deputy Chair of the committee of the whole House / Troisième Vice-Présidente du Comité plénier de l'Assemblée législative
Hoy, Pat (L)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara-Ouest–Glanbrook	
Jaczek, Helena (L)	Oak Ridges–Markham	
Jeffrey, Linda (L)	Brampton–Springdale	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (ND)	Welland	New Democratic Party House leader / leader parlementaire du Nouveau Parti démocratique
Kular, Kuldip (L)	Bramalea–Gore–Malton	
Kwinter, Monte (L)	York Centre / York-Centre	
Lalonde, Jean-Marc (L)	Glengarry–Prescott–Russell	
Leal, Jeff (L)	Peterborough	
Levac, Dave (L)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (L)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (ND)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
<b>Matthews, Hon. / L'hon. Deborah (L)</b>	London North Centre / London-Centre-Nord	Minister of Children and Youth Services, minister responsible for women's issues / ministre des Services à l'enfance et à la jeunesse, ministre déléguée à la Condition féminine
Mauro, Bill (L)	Thunder Bay–Atikokan	
<b>McGuinty, Hon. / L'hon. Dalton (L)</b>	Ottawa South / Ottawa-Sud	Premier and President of the Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil, ministre des Affaires intergouvernementales
<b>McMeekin, Hon. / L'hon. Ted (L)</b>	Ancaster–Dundas– Flamborough–Westdale	Minister of Government and Consumer Services / ministre des Services gouvernementaux et des Services aux consommateurs
McNeely, Phil (L)	Ottawa–Orléans	
<b>Meilleur, Hon. / L'hon. Madeleine (L)</b>	Ottawa–Vanier	Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (ND)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
<b>Milloy, Hon. / L'hon. John (L)</b>	Kitchener Centre / Kitchener-Centre	Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Mitchell, Carol (L)	Huron–Bruce	
Moridi, Reza (L)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (L)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	
Orazietti, David (L)	Sault Ste. Marie	



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Pendergast, Leeanna (L)	Kitchener—Conestoga	
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<b>Phillips, Hon. / L'hon. Gerry (L)</b>	Scarborough—Agincourt	Minister of Energy / ministre de l'Énergie
Prue, Michael (ND)	Beaches—East York	
<b>Pupatello, Hon. / L'hon. Sandra (L)</b>	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Qaadri, Shafiq (L)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (L)	London—Fanshawe	
Ramsay, David (L)	Timiskaming—Cochrane	
Rinaldi, Lou (L)	Northumberland—Quinte West	
Runciman, Robert W. (PC)	Leeds—Grenville	Leader of the Official Opposition / Chef de l'opposition officielle
Ruprecht, Tony (L)	Davenport	
Sandals, Liz (L)	Guelph	
Savoline, Joyce (PC)	Burlington	
Scott, Laurie (PC)	Haliburton—Kawartha Lakes—Brock	
Sergio, Mario (L)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
<b>Smith, Hon. / L'hon. Monique M. (L)</b>	Nipissing	Minister of Revenue / ministre du Revenu
<b>Smitherman, Hon. / L'hon. George (L)</b>	Toronto Centre / Toronto-Centre	Deputy Premier, Minister of Health and Long-Term Care / vice-premier ministre, ministre de la Santé et des Soins de longue durée
Sorbara, Greg (L)	Vaughan	
Sousa, Charles (L)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton—Mississippi Mills	
Tabuns, Peter (ND)	Toronto—Danforth	
<b>Takhar, Hon. / L'hon. Harinder S. (L)</b>	Mississauga—Erindale	Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Van Bommel, Maria (L)	Lambton—Kent—Middlesex	
<b>Watson, Hon. / L'hon. Jim (L)</b>	Ottawa West—Nepean / Ottawa-Ouest—Nepean	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
<b>Wilkinson, Hon. / L'hon. John (L)</b>	Perth—Wellington	Minister of Research and Innovation / ministre de la Recherche et de l'Innovation
<b>Wilson, Jim (PC)</b>	Simcoe—Grey	Second Deputy Chair of the committee of the whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative
Witmer, Elizabeth (PC)	Kitchener—Waterloo	Opposition House leader / leader parlementaire de l'opposition
<b>Wynne, Hon. / L'hon. Kathleen O. (L)</b>	Don Valley West / Don Valley-Ouest	Minister of Education / ministre de l'Éducation
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Zimmer, David (L)	Willowdale	

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Garfield Dunlop, Tim Hudak, Amrit Mangat,  
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Jeff Leal, Reza Moridi, Yasir Naqvi,  
Lou Rinaldi, John Yakabuski, David Zimmer  
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Vice-Chair / Vice-Président: Kevin Flynn  
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Joe Dickson, Kevin Flynn, Sylvia Jones,  
Norm Miller, Mario Sergio, Peter Tabuns  
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Phil McNeely, Jerry Ouellette, Liz Sandals,  
Norman W. Sterling, Maria Van Bommel, David Zimmer  
Clerk / Greffier: Katch Koch

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Règlements et projets de loi d'intérêt privé**

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Vice-Chair / Vice-Président: Paul Miller  
Bas Balkissoon, Mike Colle, Kim Craiton,  
Gerry Martiniuk, Paul Miller, Bill Murdoch,  
Michael Prue, Tony Ruprecht, Mario Sergio  
Clerk / Greffière: Sylwia Przedzdiecki

**Social Policy / Politique sociale**

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Vice-Chair / Vice-Président: Vic Dhillon  
Laurel C. Broten, Vic Dhillon, Cheri DiNovo,  
Helena Jaczek, Dave Levac, Shafiq Qaadri,  
Khalil Ramal, Laurie Scott, Peter Shurman  
Clerk / Greffier: Katch Koch









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#### **INTRODUCTION OF BILLS / DÉPÔT DES PROJETS DE LOI**

<b>Social Assistance Statute Law Amendment Act (Registered Disability Savings Plans), 2008, Bill 94, Ms. Jones / Loi de 2008 modifiant des lois en ce qui a trait à l'aide sociale (régimes enregistrés d'épargne-invalidité), projet de loi 94, Mme Jones</b>	
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## Legislative Assembly of Ontario

First Session, 39<sup>th</sup> Parliament

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# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 16 June 2008

Lundi 16 juin 2008

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller



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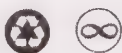
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 16 June 2008

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 16 juin 2008

*The House met at 0900.  
Prayers.*

## ORDERS OF THE DAY

### SMOKE-FREE ONTARIO AMENDMENT ACT, 2008

#### LOI DE 2008 MODIFIANT LA LOI FAVORISANT UN ONTARIO SANS FUMÉE

Ms. Best moved third reading of the following bill:

Bill 69, An Act to protect children from second-hand tobacco smoke in motor vehicles by amending the Smoke-Free Ontario Act / Projet de loi 69, Loi modifiant la Loi favorisant un Ontario sans fumée pour protéger les enfants contre le tabagisme passif dans les véhicules automobiles.

**The Speaker (Hon. Steve Peters):** Debate?

**Hon. Margaret R. Best:** Today I will be sharing my time with my PA and esteemed colleague the member from Oak Ridges–Markham.

If we pass this legislation to protect children from second-hand tobacco smoke in motor vehicles, we will be taking an important stride forward in protecting the health of young people across Ontario. Bill 69 would amend the Smoke-Free Ontario Act. It builds on the Smoke-Free Ontario Act, which, as always, has the primary objective of protecting people from second-hand tobacco smoke in enclosed public spaces and workplaces.

This amendment would extend province-wide protection to children under 16 in motor vehicles. Science shows that second-hand smoke in vehicles is particularly harmful, and even more so for children under 16. Yet a Health Canada study in 2005 estimated that 140,000 children in Ontario between the ages of 12 and 16 years were exposed to second-hand smoke in vehicles during a one-month period.

I have listened to my colleague opposite from Nickel Belt. I heard and appreciated her concerns for constituents who may not know about the new law or who may find it hard to stop smoking in their motor vehicles, with or without children present. But I also know that since this public debate began last December, with sincere thanks to my friend and colleague David Oraziotti from Sault Ste. Marie, many people have already got the message that they should not smoke in their car with children present. Rest assured that we will continue to work

proactively to get this message out to all corners of this province.

Our goal is voluntary compliance. Our public education campaign will be comprehensive, working with our partners in public health to reach out to drivers wherever they are in their vehicles and wherever they think about their vehicles and their children. Our message won't simply be that you will get a ticket if you are caught. Our message will be about protecting the health of our children. Our message will also be about getting help to quit smoking. Our message will be about the dangers of tobacco smoking. As part of the smoke-free Ontario strategy, one of the most comprehensive tobacco control strategies in North America, our government supports excellent cessation programs. We have helped more than 150,000 smokers in their efforts to quit, through programs like the Driven to Quit Challenge and Smokers' Helpline, which are managed by our partner the Ontario division of the Canadian Cancer Society. We have also committed to a permanent retail sales tax exemption for nicotine replacement therapies to help Ontario smokers to quit smoking.

Tobacco use is the number one cause of preventable disease and death in Ontario. It kills over 13,000 Ontarians every year, and children exposed to second-hand smoke are more likely to suffer sudden infant death syndrome, acute respiratory infections, ear problems and more severe asthma. The public supports taking action to protect children under 16 from tobacco smoke in motor vehicles. In January of this year, a poll released by the Canadian Cancer Society showed that over 80% of Ontarians, including 66% of smokers in Ontario, support a ban on smoking in vehicles with children under the age of 16. We are confident that the public is ready for this proposed ban to protect the health of our children.

Support for this legislation also comes from leading non-governmental health organizations, including the Ontario division of the Canadian Cancer Society, the Ontario Lung Association, Ontario Medical Association and the Heart and Stroke Foundation of Ontario. In the words of the Ontario Lung Association, this is about giving a voice to the back seat.

The people of Ontario are ready for legislation to protect our children from being exposed to second-hand smoke in motor vehicles. Our experience with the Smoke-Free Ontario Act, including the recent ban on display of tobacco products, is that we can expect a high voluntary compliance. We are confident in anticipating wide voluntary compliance for this amendment, especially given the level of public support. The reason is very obvious: This



is about the safety and well-being of our children. I appeal to all Ontarians to make the commitment to smoke-free cars, smoke-free vehicles, for our children's sake. It is about the health of our children. I also urge all members of this Legislature to join me in voting in favour of this legislation. This is about creating a healthier, smoke-free Ontario. It's about our future: our children and their health.

0910

**Ms. Helena Jaczek:** I'd like to begin by acknowledging our colleague the member from Sault Ste. Marie, David Oraziatti. Without his determination and drive, we would have, I think, taken a lot longer getting to this place.

We are now in third reading debate on Bill 69, An Act to protect children from second-hand tobacco smoke in motor vehicles by amending the Smoke-Free Ontario Act. It has been more than 40 years that we've been waging this war against tobacco. It was in 1964 that the US Surgeon General, Everett Koop, produced his landmark study that linked smoking tobacco with lung cancer. He also was hoping that by the year 2000, we in fact would be a smoke-free society. We haven't achieved that goal, but with this particular bill, we are going to get that little bit closer.

Today, tobacco use is the number one cause of preventable disease and death in Ontario, killing over 13,000 Ontarians every year. Tobacco-related diseases have been estimated to account for \$1.6 billion in direct health care costs and \$4.4 billion in productivity losses each year.

In my own experience in the war against tobacco, which started in the 1970s, I've seen many people suffering from tobacco-related illness. I was also very much impressed in those early years as to how addictive tobacco can be, so that, as a family physician, counselling those smokers in my practice did not result in very much success. Of course, those smokers were living in a society where tobacco smoke was really pervasive—in restaurants and public places—and so quitting was exceptionally hard.

When I started as medical officer of health in York region in 1988, smoking was commonplace in regional council. In fact, in our own health committee, it was the practice for the chair of our committee to smoke. After a few months, he did acknowledge that perhaps this was not the most exemplary behaviour, and ashtrays and cigarettes were banned from York regional council.

We've come a long way in the last 20 years. Gradually, municipal boards of health called for no-smoking bylaws in municipalities. In York region, this was a very hard thing to do; we had nine area municipalities. I well remember attending those council meetings and urging them to pass smoke-free bylaws—and they did, gradually. At the end of the day, in the year 2000, we finally passed a regional bylaw that covered the whole region of York. The problem, of course, was that as municipalities developed their own bylaws, they had differences in them. So when the McGuinty government passed the

Smoke-Free Ontario Act in 2006, we levelled the playing field across the province.

We have made significant progress: In 2003, the government was committed to reducing tobacco consumption by 20% before the end of its first mandate. We have surpassed that goal: We have had more than a 30% tobacco-consumption reduction, which translates to an incredible 4.6 billion fewer cigarettes. We accomplished this by introducing one of the most aggressive and comprehensive tobacco control strategies in North America, and we have wonderful compliance: It's something like 99% compliance for smoke-free bars, restaurants, hotels and workplaces. We have introduced some cessation programs that have been quite successful as well: More than 150,000 got help with quitting through programs like the Driven to Quit Challenge and the Smokers' Helpline. The STOP study—Smoking Treatment for Ontario Patients—through the Centre for Addiction and Mental Health, is designed to find out the most effective methods of supporting Ontario's smokers who want to quit. In its first two years, this study has reached more than 38,000 smokers, and we announced this January that the Minister of Health Promotion has provided an additional \$2 million to add another 15,000 smokers to this study.

In the 2008 budget, our government also committed to a permanent retail sales tax exemption for nicotine replacement therapies to help Ontario smokers to quit. On May 31 of this year, the power walls came down, and we estimate that we have at this point at least 95% compliance with that regulation. Bill 69 is the next important step forward. The primary objective of the Smoke-Free Ontario Act has always been to help protect people from second-hand tobacco smoke in enclosed public spaces and workplaces. This amendment would extend province-wide protection to children in motor vehicles.

There has been widespread support for this action. First of all, on the private member's bill introduced by Mr. Oraziatti, Vance Blackmore, the president of the Association of Local Public Health Agencies, said, "The passage of the Smoke-Free Ontario Act was a clear message that the government understood the significant dangers of second-hand smoke and is committed to minimizing involuntary exposure to it. We believe that this bill is a worthy amendment to the act, as it will protect children from involuntary exposure to it while in any vehicle."

A former colleague of mine, Dr. Charles Gardner, medical officer of health for Simcoe Muskoka District Health Unit and chair of the Council of Ontario Medical Officers of Health, has said, "More than 24 municipalities have supported a ban on smoking in cars with children present. I am pleased that this includes the regional municipality of York, as well as the town of Tecumseh, city of Kenora, township of Terrace Bay, Peterborough and Toronto, to name a few." There is support from across the province.

Last week in committee, we worked through Bill 69, and I really would like to say that I appreciate the care and consideration my colleagues opposite have given to



this bill. I especially appreciate the shared sense of importance and urgency we have on passing this bill. At committee, we heard from a number of major health organizations that came to comment, and we have their full support in moving this bill forward as it is presented to the Legislature.

We heard that second-hand tobacco smoke in vehicles is particularly harmful and even more so for our children. Recent studies suggest that the concentration of toxins in vehicles can be up to 27 times worse than in a smoker's home. The Ontario Medical Association found that children exposed to second-hand tobacco smoke are more likely to suffer sudden infant death syndrome, acute respiratory infections, ear problems and more severe asthma. The medical science is clear: Second-hand tobacco smoke is dangerous to our children's health. Yet, a Health Canada study in 2005 estimated that 140,000 children in Ontario between the ages of 12 and 16 were exposed to second-hand tobacco smoke in vehicles during a one-month period—a clear indication that this bill is necessary.

We are confident that the public is ready for this proposed ban to protect the health of our children. Given the support from Ontarians, we are expecting that the legislation will have significant voluntary compliance. This legislative debate is just one part of the process that will bring greater public awareness and education.

If this bill is passed, we plan to deliver a multi-layered public education campaign with our smoke-free Ontario partners across the province that will reach out to people wherever they think about their vehicles and their children.

We are leveraging all the components of the smoke-free Ontario strategy to ensure voluntary compliance. Public health units will continue to champion this call to arms, and our cessation programs will help smokers quit.

In conclusion, this is about the safety and well-being of our children. The Premier and our government are committed to this, and our partners are committed to this. I appeal to all Ontarians to commit to smoke-free cars for our children's sake. This is the next step towards a healthier smoke-free Ontario.

0920

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments? Further debate?

**Ms. Laurie Scott:** I'm pleased to join third reading debate on Bill 69, which is amending the Smoke-Free Ontario Act to ban smoking in motor vehicles with children under 16 in the vehicles. Unfortunately, I was double-booked last week on the committee days, but the member from Burlington filled in quite well.

I want to thank all of those associations that came in to appear before the committee: the Canadian Cancer Society, the Council of Ontario Medical Officers of Health, the Council for a Tobacco-Free Toronto, the Heart and Stroke Foundation of Ontario, the Ontario Campaign for Action on Tobacco, the Ontario Lung Association, and Toronto Public Health.

As we stated in second reading debate, we're certainly in favour of protecting more people from second-hand smoke; in this case, children 16 years of age and younger who are found in cars with adults who are smoking. It's certainly very important to give them a voice, as has been mentioned, from the back seat and that they have protection.

When we heard all the groups who were supportive of the bill before us, many times we heard the statistics on the effects on health of smoking in confined areas, and especially the increased effects on children because of their various lung capacities. I know that they had most of the reports in 2005—the California Air Resources Board report—and then followed up by the 2008 study conducted by the University of Waterloo, which confirmed those findings.

Health Canada, for example, reports that children who are regularly exposed to second-hand smoke are 50% more likely to suffer damage to their lungs or have breathing problems, sudden infant death syndrome, acute respiratory infections, ear problems and more severe asthma, just to mention a few, and we've discussed that thoroughly.

There was a discussion at second reading and in committee about the need for regulation. Again, a Health Canada study estimated that 140,000 children in Ontario between the ages of 12 and 16 were exposed to second-hand smoke in cars in a one-month period. Some of the statistics that you find when you start researching these bills are quite astounding. The Ontario Lung Association backed that up—and the Canadian Cancer Society has phrased it as “giving a voice to the back seat.”

Certainly, there's widespread support, even by smokers, about the banning in vehicles when children are present.

It's always a balance in our society about bringing in legislation and banning things. You have to try and do a balance. I think that when it involves children 16 years of age and younger, you have to assist them with legislation so that they are protected. That is certainly what this bill does.

There are other precedents that are set, especially in Canada. We have other jurisdictions—British Columbia, Nova Scotia and the Yukon Territory, to name just a few—that have brought in similar legislation.

We've asked some questions about the enforcement part and voluntary compliance. We hope to see a high degree of voluntary compliance, but as the Ontario Campaign for Action on Tobacco commented, given the harm that can be done to children by repeatedly exposing them to second-hand smoke, we believe there should be an escalation-applicable fine for repeat offences, and I'm hoping that that may be discussed in regulations as the bill proceeds to that stage.

The education component was brought up by the minister again today. There is no question that there needs to be a strong education component. I know that there has been some education component, especially since the bill has been introduced.



My colleague from Kitchener–Waterloo, Mrs. Witmer, introduced a resolution on December 13, 2007, “that, in the opinion of this House, the government of Ontario should protect the children and youth of this province from the harmful effects of second-hand smoke in automobiles by immediately implementing an effective province-wide campaign to educate parents about the dangers of smoking in vehicles when a person who is less than 16 years of age is present.”

I know the member from Nickel Belt spoke quite eloquently in committee about the northern Ontario region she represents and the fact that there has to be more education to reach the people in some remote areas, and I’m sure she will speak to that when she has the opportunity.

There are some suggestions that were brought forward to improve the bill. I know that the member from Burlington has had a private member’s bill—I will bring it up again—and moved an amendment in committee that unfortunately was defeated. But despite the fact that the title is the Smoke-Free Ontario Act, it’s not a pot-free Ontario act. Many of my colleagues in the Legislature will know that the member for Burlington, Joyce Savoline, tried on numerous occasions to get the McGuinty government to close that loophole in the Smoke-Free Ontario Act and include marijuana and controlled substances. As I said, our first attempt was a private member’s bill, which received unanimous consent in the Legislature but was cut down quickly by the whipped Liberal members in committee. So, unfortunately, we didn’t even have the opportunity to hear from the public as to their thoughts and their positions on this issue, as the discussion—can we use the phrase?—was butted out before we could engage our citizens in that debate.

But the member from Burlington is quite tenacious. She valiantly tried again by putting forward an amendment to Bill 69 in committee which would include marijuana and controlled substances as illegal to smoke in cars with children. The argument that no one would smoke marijuana in a car with children is ridiculous. As a reasonable person, as a medical professional myself, I would also have assumed that no one would smoke cigarettes in a car with children, but then I’ve just read statistics—and other members have—that this is not true. Once again, the Liberals shot down her amendment, based on “the lack of scientific evidence.”

We find that choice of phrasing odd. I now recall where I last heard it used. It was in the 1960s and the 1970s when big tobacco companies were justifying their existence and reassuring the public that their products were safe.

I want to comment about the grade 11 student, Mr. Salvatore Anania, who appeared before the committee and said that one does not need scientific evidence to know that marijuana smoke is harmful and felt that it was the perfect time to include marijuana in the Smoke-Free Ontario Act. So I compliment that grade 11 student who made the connection that this government cannot seem to make in respect to banning the smoking of pot, the use of

marijuana—in this case before the committee—in cars. The private member’s bill before was banning second-hand smoke from marijuana in public places. I think it was just tremendous for a grade 11 student to participate.

I want to thank a group of students that assisted the Haliburton, Kawartha, Pine Ridge District Health Unit in my area. They brought petitions in, supported at the local high school in Lindsay. They went and engaged in the political process—which I find is enlightening; we’re getting our youth involved—and brought those petitions to me. We presented them in the Legislature.

The educational component could have been started months ago, but we’re happy to see that some third party groups are advocating and going forward with an educational component. You can never do enough in that regard and I hope that more is addressed in that matter.

We want to move forward with this legislation; I think all parties are in agreement for that today. It’s unfortunate that the amendment from the member for Burlington was not passed, but maybe we will have this in another day, as regulations proceed.

Thank you very much for the opportunity to speak on Bill 69 today.

**M<sup>me</sup> France Gélinas:** It is my pleasure to rise today for the third reading of Bill 69, which amends the Smoke-Free Ontario Act. Basically, the NDP supports this bill. It is consistent with our party’s historic support for health promotion and children’s well-being. It certainly falls squarely within the framework of what we call the second stage of medicare, which is to keep people well. Protecting children from second-hand smoke does that: It keeps children well.

We also know there is widespread support for the bill by different partners, certainly the partners that came and presented, but also the Ontario Medical Association, the Registered Nurses’ Association of Ontario, the Ontario Public Health Association, the Lung Association, the Canadian Cancer Society, the Centre for Addiction and Mental Health, public health units, the Non-Smokers’ Rights Association—and the list goes on. We know that there is strong public support: Up to 80% of the people in Ontario support this new bill. But this is balanced with the fact that really only 37% of the smokers have made their vehicles smoke-free.

**0930**

At the base of the Smoke-Free Ontario Act is an act that is there to protect every Ontarian from second-hand smoke. During second reading, I had an opportunity to bring forward two amendments that clearly go along with the mission of the act that we’re about to modify with Bill 69: to protect all Ontarians from second-hand smoke. The first amendment was to bring the cut-off age, which presently sits at 16—which means it protects kids 15 and under because it cuts off at 16; 16-year-olds are not included—to 19, 19 being the legal age at which people can smoke. This link is easy to do. The government told us, “Well, it has to do with the consent to treatment.” To me, that link is not there. We had an opportunity to be in line with the Smoke-Free Ontario Act and to make the



cut-off at 19. When I asked if there was any body of evidence, any studies that would support that 16 is better than 19, such bodies of evidence did not exist. Nobody can point to a study that says, "If you do the cut-offs at 16 rather than 19, you will have more compliance." None of this exists.

There is a study that exists that used a cut-off of 16, but that was it. There's no valid medical reason or any other reason, for that matter, not to put the cut-off at 19 years old, which would protect children from 18 down to birth.

Many other jurisdictions have chosen to put the cut-off at 19 and to line it up with the age at which people are legally allowed to smoke. By putting that 16-year-old cut-off there, you're building onto this idea that we all know there are a lot of teenagers aged 16 to 19 who smoke; we all know this. Although it is illegal, it still happens. They go, they get cigarettes one way or another, and they smoke.

In putting in this bill an age 16 cut-off, we are almost endorsing that it's a fact of life that kids aged 16 to 19, although they're not allowed to buy tobacco, are going to be smoking in Ontario, and we'll give up on this and put the cut-off at 16, because it's too just hard to get those kids. We are leaders. It's upon us to lead. To put the cut-off at 19 would have shown leadership, but the amendment was voted down by the Liberals.

The second amendment that I brought would make a mandatory three-month period from the time that the bill receives royal assent to the time that the fines will start to be given. Everybody agreed that the strength of this bill is in the education that it sends out. It sends out this message that it is not okay to smoke in a car when there are kids present. But we know that 63% of the smokers are still smoking in their cars when there are kids present. To give public health units and other groups an opportunity when the law has been passed—it is not talked about anymore; it is a law that has received royal assent in Ontario. To give them a three-month education period is what we call a prime time for health promotion. It is a time when people listen, because the law is about to change. It is a great time to do education and to go get those hard-to-get ones.

The minister and some of the people who represent the government say, "Well, there has already been quite a bit of talk about this bill." Yes, I agree that the media have picked the bill and talked about it, but this is very different from targeted health promotion education to people who we know will have a hard time complying.

In my riding, there are communities with smoking rates three times the rates in the rest of Ontario. We know, and the public health units and the people working on smoking-reduction strategies know that this three months of education would have gone a long way to allow them to be successful in helping those people comply with the law. But this amendment was also turned down.

The Smoke-Free Ontario Act is there to help protect people from second-hand smoke, but it looks like we're

only going to do this in tiny, weenie little steps when we could have had an opportunity, at no cost to anybody, to take a way bigger step. The NDP will still support this bill, but we wish they could have made it a whole lot stronger, faster.

I think I have to say this at the beginning, but I will share my time with my colleague.

**Ms. Cheri DiNovo:** It's an honour to rise, as we all do in the New Democratic Party, in support of Bill 69. We are absolutely in support of smoke-free cars. We're in support of anything that promotes the health of children, and certainly this bill is a step forward in promoting the health of children. It's staggering to me that people still smoke in cars, but it was also educational to me to discover how toxic that practice is. I didn't know, for example—and I think many watching at home probably don't know—that even if you smoke in a car with a child not present and a child gets into that car, the very upholstery in the car gives off a toxic gas which is also very detrimental to the small lungs of small children. That's something I didn't know.

I was a child in an era when smoking was everywhere. I was a child of parents who smoked, and I think of my own health being compromised. The health of many in the generation that sits here in this chamber has been compromised by a practice that people genuinely didn't see as dangerous, particularly if they cranked down the windows a bit. Now we know better. Now we know that even if you crank down the windows, it's still dangerous. Even if you don't have the child in the car and then you smoke in the car and the child gets into the car afterward, it's still dangerous. It's dangerous no matter how you look at it. It's a dangerous practice and it should be stopped.

Of course, it will be difficult to enforce, but as our lead critic, the member for Nickel Belt, pointed out, it's not about the enforcement of this bill so much, it's about the educational aspect of this bill. The fact that this bill is out there, that it gets some media play, will, in turn, let people know just how detrimental this practice is, and that's the force of this bill.

I also feel very saddened that the amendments that were put forward by the opposition parties were not taken to heart by the McGuinty Liberals, but so be it. That's always the way. Unfortunately, sometimes partisan politics trump common sense. This is certainly the case here. Again, a bill that could have been made stronger and could have offered even more protection will offer a little less protection because it's more important to have partisan politics here, and Liberals to be Liberals, than it is to protect the health of small children.

In fact, if the McGuinty Liberals really were serious about protecting the health of small children, there are a lot of things they could do, and we know this. We know that our member from Hamilton Centre has been an advocate of daycare. If the McGuinty Liberals really wanted to protect the health of children, they would look at what our neighbours in Quebec have done and offer some government-sponsored daycare spaces to children. In fact, now in Ontario, only one in 10 children even have a



shot at a space, and they're not subsidized. The average cost for daycare is over \$1,000 a month in Ontario right now. It's \$7 a day in Quebec. Why can't we do what Quebec does here? Good question. That would protect the health of children.

Something else the McGuinty Liberals could do if they were really serious about protecting the health of children is bring in a dental care program. My husband and I were in Sweden recently where there is free dental care up to the age of 18. If we had that here, that would truly protect the health of children. A community of 9 million in Sweden and we've got 13 million in Ontario—don't tell me we couldn't do it. We're one of the wealthiest jurisdictions in the world. That's what the McGuinty Liberals could do to protect the health of children.

0940

What else could they do? There have been a number of other moments in the news in this last little while: C. difficile. We in the New Democratic Party have called, through the expert leadership of our health critic from Nickel Belt, for the Ombudsman to give oversight to our hospitals. The Liberals aren't interested in that; they're not even interested in having reporting on C. difficile deaths happen until September. I'm speaking personally because my uncle was one of those victims, three times, of C. difficile. Making hospitals safe places would help the health of all of our citizens, including children.

What else would help if the McGuinty Liberals were really serious about protecting the health of children? Not only passing Bill 69, which is about smoking in cars with children, but also bringing in affordable housing because we know one in six of our children suffer from poverty. Poverty is a serious social determinant of health. Children who are poor do not get enough to eat, do not have adequate housing, do not have dental care etc. That's what the McGuinty Liberals could do: actually spend some of the federal dollars that they've got on housing. And of course—a subject near and dear—up the minimum wage, because 41% of our children who live in poverty come from working families. If you have a mother who's working two jobs at minimum wage, that child's health is being compromised.

But I digress. To get back to Bill 69, smoking in cars with children: bad thing. Yes, it's a bad thing, and New Democrats will support the government in trying to abolish this bad act by people who, I don't think, are so much bad as addicted. Which begs the other question of, what are we doing for those who have a hard time overcoming addictions? The answer, unfortunately, from the McGuinty Liberals is not much. They're not doing much to combat addiction in this province, tobacco and alcohol addiction being the two pre-eminent arbiters of death from addiction.

Again, insofar as this bill is a good educational tool, insofar as this bill will take an inch forward where we need a mile forward in terms of children's health—insofar as it does that, we certainly support it. We would also call on this government to look at the whole issue of

addictions. We don't have a drug strategy in Ontario. The city of Toronto has a drug strategy and it's an excellent one. Perhaps we could upload something from our municipalities, and that would be an Ontario drug strategy that the McGuinty Liberals could bring in to look at the whole issue of addiction rather than simply this one small piece of addiction that in this one small way affects children's health.

Certainly, before I sit down, I want to give acknowledgment where it's due, and that is to the wonderful leadership on this file by our wonderful health critic from Nickel Belt and to all of those who put time in on this committee. As I said, we in the New Democratic Party will do anything that will help to further the health of our children.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments? Further debate?

Seeing none, I will go to the minister for a reply.

**Hon. Margaret R. Best:** I would like to begin by acknowledging my colleague from Sault Ste. Marie, David Oraziotti; my PA, the member for Oak Ridges–Markham; and also the members opposite for their commitment, support and interest in the well-being of our children. I would also like to take this opportunity to thank the people of Ontario for their input.

As was said earlier by my colleague from Oak Ridges–Markham, tobacco-related diseases have been estimated to account for \$1.6 billion in direct health care costs and \$4.4 billion in productivity losses each year. Our government has made remarkable progress in the fight against tobacco-related illnesses and death. We accomplished this by introducing one of the most aggressive and comprehensive tobacco control strategies in North America, as I said earlier, and we established a province-wide law for smoke-free environments when the Smoke-Free Ontario Act became law on May 31, 2006. Just recently, on May 31, we took down the power walls, and once again we have achieved widespread voluntary compliance. Our estimates show that over 96% of vendors were in compliance by the May 31 date.

Now, Bill 69 is the next important step in moving forward. The primary objective of this bill and the Smoke-Free Ontario Act has always been to protect people from second-hand smoke in enclosed public places and workplaces. This amendment would extend province-wide protection to children in motor vehicles.

The medical science is very clear that second-hand smoke is dangerous to our children's health. As a government, we are also very aware that even acting in the public's interest needs public support. In January of this year, a poll released by the Canadian Cancer Society showed that over 80% of Ontarians, including 66% of smokers in Ontario, support a ban on smoking in vehicles with children.

Our government is confident that the public is ready for this proposed ban to protect our children's health. Support comes from leading non-governmental health organizations, as I've said before, including the OMA, the Ontario Lung Association, the Heart and Stroke



Foundation of Ontario and the Canadian Cancer Society. I want to take this opportunity to thank them for their input. I would like to quote the CEO of the Canadian Cancer Society, Peter Goodhand, who said: "Children don't have a choice when it comes to exposure to second-hand smoke while travelling in a vehicle. We congratulate the Ontario government for taking this step to protect ... children's health."

Our government believes that the people of Ontario are ready for legislation to protect our children from being exposed to second-hand smoke in motor vehicles. This is about protection of our most vulnerable citizens: children who do not have a voice, children age 16 and under. We are confident in anticipating wide voluntary compliance for this amendment, especially given the level of public support.

In response to the member opposite, as with any legislation, I agree with her that this ban will still require some level of enforcement. That is why this proposal includes a partnership with police services across the province to enforce the legislation. Enforcement is indeed important, but voluntary compliance is our goal. Our government knows that public awareness is key to making that happen.

This legislative process alone has brought greater public awareness and education. Again, in response to the member opposite, if this bill is passed, we also plan to deliver a multi-layered public education campaign across the province with our partners. We anticipate that we will reach people wherever they are, to get them to think about the importance of their children's health and our children's.

In addition to public education and enforcement, we will also be leveraging all the components of the smoke-free Ontario strategy to ensure voluntary compliance, including programs to help smokers quit and working with our partners in public health to continue to champion this very worthy cause.

This is about the safety and well-being of our children. The Premier and our government are committed to this, and our partners are committed to this. I appeal to all Ontarians to commit to smoke-free vehicles for our children's sake. Again, I thank everyone involved.

**The Acting Speaker (Ms. Andrea Horwath):** Ms. Best has moved third reading of Bill 69, An Act to protect children from second-hand tobacco smoke in motor vehicles by amending the Smoke-Free Ontario Act. Is it the pleasure of the House that the motion carry? Carried.

*Third reading agreed to.*

**The Acting Speaker (Ms. Andrea Horwath):** Be it resolved that the bill do now pass and be entitled as in the motion.

Orders of the day.

**Hon. David Caplan:** I seek consent for the House to recess until 10:45 of the clock today.

**The Acting Speaker (Ms. Andrea Horwath):** Is there unanimous consent of the House to recess until 10:45? Agreed. This House now stands recessed.

*The House recessed from 0950 to 1045.*

## INTRODUCTION OF VISITORS

**The Speaker (Hon. Steve Peters):** I take this opportunity to welcome a number of visitors to Queen's Park today.

On behalf of the member from Kitchener Centre, in the east members' gallery: Brian and Connie Voll.

On behalf of the member from Scarborough—Guildwood, in the east members' gallery: Clara Russell, Ferlena Burke and Ida Fogo, the member's sisters and a family friend. Welcome.

On behalf of the member from Carleton—Mississippi Mills, in the west members' gallery we'd like to welcome Victor and Gloria Morris and Larry and Rita Morris, who are celebrating their 50th anniversary—congratulations—and also John Morris.

On behalf of the member from Thornhill, in the west members' gallery: Mr. Fred Winegust, marketing manager at IBM.

On behalf of the member from Peterborough, in the east members' gallery: Mr. Ted Hunter from the Peterborough Rotary, and Ms. Patyna Litvinova, Rotary exchange student from Siberia.

On behalf of the member from St. Paul's, in the east members' gallery: Mr. Sam George, councillor, Kettle and Stony Point First Nation.

On behalf of page Doaa Hussein, in the west members' gallery: her father, Hatem Hussein; her mother, Layla Al-Asawi, and her sisters Samaa Hussein and Safa Hussein.

On behalf of page Taylor Martin, in the public galleries: a friend of hers, Deanna Martin.

In the Speaker's gallery, I'd like to welcome two guests of mine: Francine and Terry Melmer from St. Thomas. Welcome to Queen's Park today.

As well in the Speaker's gallery, we'd like to welcome a delegation from the Ghana Parliament: Ms. Gloria Insaído, librarian; Mr. Kwesi Eshun, director, research department; Martha Acquah Hayford, head of Hansard; Mr. Addow Quashie, head of their information communication technology department; and Mr. Adams Fusheini, information resource coordinator, Parliamentary Centre. Welcome to all of our guests today.

## ORAL QUESTIONS

### TOURISM

**Mr. Ted Arnott:** My question is for the Minister of Tourism. According to a recent Hamilton news article, the Ministry of Tourism projects a 9% drop in travellers from the US to Ontario this year, costing us about \$46 million in revenue. The minister knows that things are getting much worse. From the minister's own website, for the first quarter of 2008, the number of same-day trips from the US is down a staggering 25%. Grace Sammut from Resorts of Ontario tells us that the number of



employee hours worked to date is down 24% from last year. This means lost jobs.

My question is this: Does this government actually intend to do nothing to reverse these declining tourism numbers?

**Hon. Peter Fonseca:** I want to thank the member for Wellington-Halton Hills for sharing some of that factual information. The first thing that I want to say is that this government is dedicated to a sustainable, viable tourism sector. That's why we're working with our partners on a plan—a plan that has put significant dollars into tourism; a plan that is working.

I would like to share some facts. When we look across Canada and Ontario, yes, we're experiencing some challenges when it comes to tourism. But Ontario, compared to some of the other provinces like BC or Quebec, which have seen a 7% and 5.8% decline in their numbers—we've actually seen a bit of an uptick in our numbers with overnight travellers from the US. So things are working. Yes, we do have challenges—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

1050

**Mr. Ted Arnott:** I have no idea who the minister's talking to. We're hearing a very different story. This government brags about marketing, yet the My Ontario travel book put out by this minister makes no mention of Windsor and Essex county and only makes passing reference to London, ignoring the great tourism potential of these communities. In the past six years, the tourism industry in Windsor has declined 50%. Both Windsor and London have been amongst the hardest hit by manufacturing job losses. Apparently, London and Windsor don't figure high in this minister's priorities.

John Tory's plan to stimulate tourism and suspend the PST on hotels and attractions this summer will give Ontario's tourism industry a much-needed boost. Will the minister commit today to implementing John Tory's plan?

**Hon. Peter Fonseca:** We've got a great plan that is working. Unfortunately, John Tory's poor band-aid for the province and for the tourism sector is something we will not move on. What we did in our budget bill was to put 92 million new dollars into our tourism industry. These are in tax incentives and initiatives that will help the tourism sector. What's great about Ontario is that we have a four-season destination here.

Let's look at the Windsor area. Next week, we're actually opening up the new Caesars-branded casino. I think this is going to be wonderful for that area. It will attract many more people. It's unfortunate that the opposition opposed that. The opposition also voted against our \$30-million stimulus package for the industry that we brought forward last fall. The opposition—

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Ted Arnott:** The thousands of small businesses and the villages, towns and cities that rely on tourist dollars can't wait a year or two for another study like this

minister's offering. They need action. They need action this week before the House rises. Where's the small business minister in all of this?

Here's a voice from the north. Stephen Holt of Charlton Lake Camp writes, "Northern Ontario is in need of immediate help for the upcoming season and the government has been quiet." Last week, the minister said that very few support our plan. This week, he's singing a different tune because he knows that the Tourism Industry Association of Ontario understands the urgency. North Bay city council supports our plan. Resorts of Ontario supports our plan. Attractions Ontario supports our plan. Northern Ontario Tourist Outfitters Association supports our plan. Wings of Paradise in Cambridge, the Red Pine Wilderness Lodge, the Walper Terrace in Kitchener and the Millcroft Inn in Alton all support our plan. I could go on and on.

Why won't the minister respond to these pleas for immediate action and bring in our plan to support tourism into Ontario?

**Hon. Peter Fonseca:** We've been committed to the tourism sector since forming government back in 2003. Right away in 2004, in our first budget, we made sure that the RST was exempted so that we can use those monies for promoting and marketing our many destinations across Ontario.

For the immediate, we came up with a great initiative through our OPS, which this idea came out of. We have a fun pass that's being distributed to 1.4 million kids across this province. They're going to be able to go to any of our attractions, agencies—the AGO, Fort William, etc.—for free. That will drive much traffic.

Also, where we've had huge success has been with our "There's no place like this" campaign. It really helped our most important market. Our most important market is our domestic market, Ontarians being tourists within—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

## GASOLINE PRICES

**Mr. Tim Hudak:** The question is to the minister responsible to consumers. Minister, this morning gas prices hit up to \$1.36 in Hamilton. Back when Dalton McGuinty was in opposition, he claimed he had "three solid ideas" to hold the line on gas prices. Which of those three ideas have you actually acted upon?

**Hon. Ted McMeekin:** I know that the federal government has just been doing some investigation on this. I also know that the former minister, Minister Phillips, had taken a couple of initiatives which we've followed up on. So I think at the supplemental, in terms of the specific plans, I'll refer it to Minister Phillips.

**Mr. Tim Hudak:** I guess the answer is that they've acted on zero of the three promises that Dalton McGuinty made before the election.

Unlike Dalton McGuinty, real families that have to pump gas into their own automobiles are getting whacked



by gas prices up to \$1.36. Some forecast that gas prices may go as high as \$1.40 a litre this summer.

Minister, somebody driving a Honda Civic made in Alliston, Ontario, who fills up their tank, on average, once a week would see an increase in their costs of \$378. Families driving a Jeep Grand Cherokee would pay an additional \$603.

Minister, given that your government has acted on none of your promises, what exactly are your plans to give working families and seniors a break on their rising costs this summer?

**Hon. Ted McMeekin:** To Minister Phillips.

**Hon. Gerry Phillips:** Probably the first question the public asks is, "Are the gas companies, oil companies, proceeding appropriately?" There's no question that the responsibility for that—and I think the member would agree—rests with the federal Competition Bureau, quite appropriately. There's no question of that, and we agree with that. I would note that, according to what we've seen on the weekend, the Competition Bureau has taken some steps. I think we should expect the federal Competition Bureau to play their role on behalf of the consumer.

What can we do here in Ontario? I would say: Ensure that people have options. We are working very closely with our car manufacturers on producing energy-efficient cars and investing a substantial amount of money in assisting them with that.

I will, in the—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Final supplementary.

**Mr. Tim Hudak:** It is ironic that they switch from the minister who is here to protect consumers to the minister representing the oil companies in the province of Ontario.

Let me say this back to the minister: You heard that somebody driving a Honda Civic is looking at \$378 more this summer from higher gas prices. Since 2003, a typical middle-class family in Ontario is facing \$2,000 more annually in expenses with gas, rises in electricity, higher Dalton McGuinty taxes, new user fees and delisted OHIP services.

We have called for relief this summer for working families by eliminating the provincial sales tax, at the very least, on accommodations and on attractions to help families spend some quality time this summer. Dalton McGuinty has steadfastly refused, because he believes he can spend the money better.

Minister, what kind of relief will you give to Ontario families this summer?

**Hon. Gerry Phillips:** I appreciate the yelling of the question, but it doesn't make it any better.

I'd just say: The public in Ontario want options. It was, dare I say, the Conservative government that cut out support for public transit. It was not a smart move. We are investing a substantial amount of the gas tax in public transit. That will help some people have options. That's a good idea. It will also take pressure off gasoline consumption; another good idea. It will help greenhouse gas

emissions; another good idea. We are taking substantial long-term steps.

You made some bad mistakes when you were in government, and that's frankly why you're there. We're now making the right decisions for the public in Ontario, and we'll keep doing that.

## AUTOMOTIVE INDUSTRY

**Mr. Paul Miller:** My question is for the Acting Premier. Last Thursday, I was in Oshawa proudly marching with GM truck workers and their supporters at the plant. The marchers want GM to live up to its obligations, which were negotiated in good faith less than one month ago. What is the government doing to convince GM to keep the truck plant open and save the livelihoods of 2,600 workers?

**Hon. George Smitherman:** To the Minister of Finance. Could we ask the honourable member to go back to his side for question period?

**Hon. Dwight Duncan:** I apologize to the member; I couldn't hear the question.

Our government is proud of the investments it has made to keep automotive jobs right here in Ontario. Whether you're talking about the domestic, the Detroit Three—General Motors, Ford, Chrysler—or whether you're talking about Honda or Toyota, there is no question that the kinds of investments we're making not only help that sector transition to a newer economy; they help transition to a cleaner economy.

I was pleased last Wednesday evening to be at the tribute to Buzz Hargrove that was held here in Toronto and to see the Premier of Ontario. I was proud to sit with the CAW locals from my community: Ford, Chrysler, General Motors. I was pleased that they continue to recognize, as does the leadership of the—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary?

1100

**Mr. Paul Miller:** This morning, workers complied with an injunction that ended the peaceful blockade of GM's corporate offices. While a judge ruled that the blockade should come down, I note some of the comments made in his ruling: GM was "almost deceitful" in its negotiations with the workers. Additionally, he wrote that the company "should not be rewarded for improper conduct." Well, the company already has its reward in the form of nearly a quarter of a billion dollars of taxpayers' money. Will this government force GM to live up to its obligations or will it allow GM to keep the money and run?

**Hon. Dwight Duncan:** As both the Premier and my colleague the Minister of Economic Development indicated last week, there are penalty clauses associated with the General Motors contract which will be implemented.

What I will say is this: Were it not for those investments at Toyota, we wouldn't have a new plant opening this fall. Were it not for those investments, we wouldn't have flex manufacturing, which leaves the opportunity



for a new product line at Oshawa. Were it not for those investments, we would not have flex manufacturing in Oakville, which will allow for a new product mandate. This government's record is aimed at and designed to encourage the next generation of jobs. That member and his party voted against every one of these initiatives.

We stand with the working men and women in Canada's automotive sector. We'll continue to make the prudent investments that not only create jobs but ensure that we will have a better future ahead in the—

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary?

**Mr. Paul Miller:** If it means that existing jobs are protected and new jobs are created, New Democrats are not against strategic investment in the auto sector. In this case there were no job guarantees and no product guarantees. With so many good-paying jobs on the line, how could the McGuinty government have been so incompetent as to negotiate an agreement with a multinational corporation that leaves \$235 million in the company's back pocket while leaving 2,600 workers with nothing more than a pink slip? This time, will this minister just cut the verbal attacks against the NDP and actually answer the question?

**Hon. Dwight Duncan:** Accountability truly is difficult, and you shouldn't have voted against those initiatives. Shame on you. You should have listened to Buzz Hargrove when he said that Premier Dalton McGuinty's government has been "active and supportive, recognizing the importance to the whole provincial economy of retaining these high-productivity jobs."

You should have been supportive when the workers at Chrysler, General Motors and Ford came to us and said, "Make these investments to help protect our jobs and to bring new jobs." You should have been supportive when we invested in Toyota, which will see a new plant opening just outside of Woodstock. You should have been supportive, sir, I say with respect, when Honda expanded. That party had an option. It chose to vote against auto workers. It chose—

**The Speaker (Hon. Steve Peters):** Thank you. New question?

#### AFFORDABLE HOUSING

**Ms. Cheri DiNovo:** My question is to the Minister of Municipal Affairs and Housing. By the end of March 31, 2009, how much does his ministry expect to invest in provincial funds through the Canada-Ontario affordable housing program?

**Hon. Jim Watson:** We're very proud of the affordable housing program for a couple of reasons. First and foremost, it was an agreement signed by the previous federal government and the McGuinty government.

Let me just give the honourable member a couple of examples of some of the dollars that have gone into affordable housing programs: in her home city of Toronto, \$178.5 million, which represents 5,246 units; in my home

town of Ottawa, \$44.7 million for 1,064 units; and in the great community of London, \$22.9 million for 647 units.

This is in addition to money that we just put in in our last budget—\$100 million—the largest single investment of repair and rehabilitation money in the history of Ontario. We're proud of that. We know more work has to be done.

**Ms. Cheri DiNovo:** I have two documents in my hand. One is a 2005 Canada-Ontario agreement where the McGuinty government promised to invest 300 million provincial dollars in affordable housing by March 31, 2009. The other document I have is an April 2008 letter from the minister's own office that says he expects to spend only \$100 million of the \$300 million by March 31, 2009. Why won't this minister admit in this House that he has absolutely failed to deliver on his \$300-million promise?

**Hon. Jim Watson:** The member is completely wrong, once again. She is mixing up two or three different programs. Let me just tell you the record of this government compared to the record of when the NDP were in power. The last year that the NDP were in power, what did they spend? Fifty-two million dollars. The McGuinty government has spent \$185 million.

I'm quite proud of the fact that this government entered into an affordable housing program agreement with the previous federal government, and I'm disappointed that the NDP are not putting pressure on their federal counterparts to raise this issue, day in and day out, to ensure that the federal government comes to the table with a realistic affordable housing program, because we know that the funding starts drying up with the RAP program and the homelessness initiative on March 31. So stand up for Ontario, NDP.

**Ms. Cheri DiNovo:** The minister knows that the federal funding dollars for affordable housing are here only because of the role the NDP played in Ottawa.

Here is what the Toronto Star says about his performance: "Idle Funds Go to Waste"; "Ontario Lagging on Social Housing"; "Many Shut Out of Rental Programs"; "Ontario Housing Gap Tops \$1 Billion"; "Buck-Passing on Housing." That's what the Toronto Star editorial board says about his performance. Meanwhile, \$285 million of promised Ontario money and federal real dollars are going wanting and 150,000 people are waiting for affordable housing in Ontario.

Will this minister stand up and apologize for wasting the funds, for not spending the money and for promising something that's not there?

**Hon. Jim Watson:** Again, if the honourable member wants to be the leader of her party, she's going to have to get better research and get her facts straight.

This government has done more on the affordable housing front than the last two governments combined, because we actually reached a deal with the previous federal government under the leadership of Premier McGuinty, Jean Chrétien and Paul Martin.

Let me tell you what the Ontario Non-Profit Housing Association executive director said: "While no one gov-



ernment can solve decades of issues affecting the current state and need for more affordable housing, this government is leading the way in finding solutions to improve affordable housing in Ontario. Today's announcement will make a real difference and demonstrates that the government has been listening to" the sector's "concerns."

I'm proud of the fact that we are back in the affordable housing business. Yes, we have to do more, but we need the federal government to be at the table as a willing partner to work with cities, towns and the province.

### SCHOOL SAFETY

**Mr. Frank Klees:** To the Minister of Education: Last Wednesday, the Premier told this House that he would direct the Minister of Education to investigate the failure of an elementary school principal to report an assault on a six-year-old in one of our public schools.

Unfortunately, the minister appears not to share the Premier's urgency. In fact, when I offered that the opposition would co-operate with the government to pass an amendment to the Child and Family Services Act that would make it mandatory for school officials to report to parents and to the police, the minister chose to ignore that proposal and instead rambled on about a future committee investigation.

We have the facts. There are protocols in place; they're not being followed. What we need is an amendment to legislation that will make that reporting mandatory. What is the minister waiting for and why will she not act on this issue?

1110

**Hon. Kathleen O. Wynne:** I watched for eight years while the government opposite made precipitous decisions that did not take into account what was actually going on in our education system. That is not how this government operates. What we are doing is looking at the reporting mechanisms, and as the member opposite knows full well, there are reporting mechanisms in different pieces of legislation.

My answer is that I'm very concerned that we close any gaps that exist in reporting. My parliamentary assistant, Liz Sandals, is leading the safe schools action team. They are talking to people around the province who understand the issues of safe schools and understand the culture of schools. What I commit is that I will take the advice of the safe schools action team, because they will have considered the real situation in our schools rather than an ideological political position.

**Mr. Frank Klees:** The minister is saying that what I brought to the attention of this House and the Premier last week is not real. What she is saying is that when the Premier said to this House that he will instruct the minister to investigate, she doesn't share the Premier's concern.

There is nothing further to investigate. We know that protocols aren't being followed. We know that principals are not using good judgment. We need legislation to sup-

port what every parent expects, and that is that if a student is assaulted in our schools, they'll know about it and the police will know about it.

I'm calling now on the minister to assume her responsibility, bring legislation into this House and ensure that there are teeth in the law to ensure that those responsible for looking after our kids in our schools will follow the law, report to parents and report to the police. Why will she not do that?

**Hon. Kathleen O. Wynne:** It's obviously a very serious situation when a protocol has not been followed. The Premier did speak to me. I understand absolutely that it is my responsibility. It is our responsibility to make sure that the correct protocols are in place and that they are followed. The fact is, the protocol was in place. The protocol was there. What we need to do is make sure that we have the right enforcement mechanisms and that we have the right procedures in place.

It is clear that the board has taken action in this situation, and that is as it should be. The board has taken action. It is my expectation that when a protocol is breached, a board will take action. But it is not the answer for any of the children in our system for a government to take action that has nothing to do with the realities of what's going on in our schools. I need the information. I need to know where the reporting gaps are, and when we know where the reporting gaps are, then we will fill them.

### INFECTIOUS DISEASE CONTROL

**M<sup>me</sup> France Gélinas:** Ma question est pour le ministre de la Santé et des Soins de longue durée.

Under the minister's watch, Ontario hospitals are cutting beds, cutting staff and increasing occupancy rates. The Rouge Valley Health Centre proposed cutting 220 health providers, 24 of them cleaning staff, and cutting 36 hospital beds, while at the same time pushing its bed occupancy level from 82% to over 95%. Studies show that when occupancy goes over 90%, as Rouge Valley is projecting, infection rates go up by 42%. Why is this government promoting public policies that put Ontarians at risk of contracting and dying from a hospital-acquired infection?

**Hon. George Smitherman:** As the honourable member will know from her participation this morning with her colleagues from one of the public sector unions, there have been governments in the province of Ontario historically that have cut funding for hospitals. She is in a party that was one of them. Our party hasn't done that. When she leads her question by suggesting that overall in health care we're closing hospital beds and reducing staff in hospitals, that's not accurate either. I would encourage the honourable member to bring forward information that actually confirms that point.

All across the platform of health care, our government has been associated with enhanced investment and substantially increased employment so that those people working in hospital environments can enhance their cap-



acity to care for the people of Ontario. That is our record; it is proven by statistics. If the honourable member has a question with a basis in fact, I'll be looking forward to it by way of supplementary.

**Mme France Gélinas:** Well, I do have a bit of facts. The British Medical Association concluded in their report that high occupancy rates and less cleaning staff lead directly to the spread of hospital-acquired infections. Ontario's own chief coroner stated that overcrowding may have played a role in the C. difficile outbreak in Sault Ste. Marie hospital. Especially in light of this C. difficile outbreak, why is this minister standing by while hospitals cut staff, close beds and force hospitals to operate at 95% capacity?

**Hon. George Smitherman:** Maybe it was the combined efforts of those two parties who closed more than 18,000 acute care beds that has contributed to these occupancy issues. Our work over the course of the last four years has been to invest in the construction of more hospitals than the last five governments in the province of Ontario combined, and when you look at the particular circumstances in Sault Ste. Marie, that has included moving toward many more semi-private rooms—a substantial advance over the circumstances that were in place.

I do say to the honourable member: We acknowledge that there are very genuine risks in our hospital environments associated with things like superbugs. That's why public reporting and measurement of those will be introduced very shortly. Even your allies on this situation agree that that's an important step. I do say to the honourable member: If she wishes to demonstrate that across the province of Ontario there are fewer beds now than when we came to office, she's got a lot of work to do, because it's simply not true.

### SMALL BUSINESS

**Mr. Bruce Crozier:** My question is to the Minister of Revenue. My constituents have told me that it can sometimes take a lot of time and resources when they're required to fill their tax obligations and that they find them to be cumbersome. Filling out numerous forms, waiting for information to be provided, and interpreting tax laws on remitting the correct amount of tax can sometimes be quite challenging. Considering the fact that small business makes up 99% of the business community in Ontario, what are you doing to alleviate the red tape and ease the amount of time associated with filing taxes correctly and helping Ontarians focus energy on running their business?

**Hon. Monique M. Smith:** I would like to thank the member for Essex for the question. It gives me a great opportunity to speak about the fact that this morning I was at the Toronto Board of Trade launching our Ministry of Revenue new initiative on improving and modernizing our tax system to allow all taxpayers across the province the opportunity to pay their taxes in a more streamlined way. Our new system is called Onttaxs. Part of that system was to introduce one new toll-free number,

1-866-ONT-TAXS, which will replace 39 phone numbers that the Ministry of Revenue formerly had in place. This will streamline it for all of our taxpayers across the province.

We're also introducing one business number for every business across the province. That will integrate the federal business number and allow our taxpayers to use one number when accessing information. They'll be able to access this information soon on a new Internet service that will allow businesses to file their returns, make payments and view their accounts 24/7, seven days a week. We're making great initiatives here to—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary.

**Mr. Bruce Crozier:** I am pleased that this government is moving forward on the modernization of Ontario's tax administration system, and I'll certainly advise my constituents of the changes that are taking place, which they will no doubt be pleased to hear. Many will feel that they are long overdue.

Minister, changes of this magnitude in a tax system as old as ours can be nothing short of monumental. Why were some of these changes not made years ago, as has been the case in other jurisdictions, and what benefits other than those you've mentioned can Ontario businesses expect to see as these changes come to fruition?

**Hon. Monique M. Smith:** One of the reasons that these changes were not implemented sooner was because the Conservatives, when they were in power, made no effort whatsoever to modernize our tax system in the province, despite the fact that the Auditor General requested it in not one, two, but three different reports. We are proud to be moving forward with our Onttaxs system and providing an easier system for all taxpayers across the province. Our online service will provide our business taxpayers their tax history for over four years, right at their fingertips, 24/7; we are spreading our walk-in service to over 70 Service Ontario locations; we have this new 1-800 number; and we have the new business number, but it's really the interactive service that we're providing through the Internet that's going to benefit all of our taxpayers. They'll be able to remit their PST and their Ontario health tax in a timely manner, online, starting this fall. We're rolling it out in a streamlined way to ensure that security's in place, but it will be a service that will be available this fall for all taxpayers.

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### GOVERNMENT INVESTMENTS

**Mr. Ted Chudleigh:** My question is to the Deputy Premier. In the wake of Liberal contracts gone awry and industrial unrest, the Premier and two of his ministers are in California, despite being snubbed by Governor Schwarzenegger. Their purported mission is to stir up interest in Ontario's biotech industry and to advertise the \$1-billion Next Generation of Jobs Fund and a pharmaceutical investment program, yet a close inspection of these Liberal corporate handout schemes is very problematic.



Nowhere in the eligibility criteria is there a mention of job guarantees. The government is obviously not learning from its recent mistakes. Deputy Premier, why are job guarantees not part of the criteria for biotech funding?

**Hon. George Smitherman:** To the Minister of Finance.

**Hon. Dwight Duncan:** I think I need to remind the member of some facts about our province. I wonder if the member knows that Ontario is number two in pharmaceutical research in Canada. Those are the kinds of things we're investing in.

I wonder if the member knows that we're number three in the digital media industry in Canada and that we want to be number one. That's why we are taking some of the steps we're taking.

I wonder if he knows that we're number one in the ICT sector in Canada. Toronto's the third largest in the world in North America, and we are number one in financial services in Canada, number one in R&D, number two in aerospace, number one in the business services sector and number one in the chemical sectors.

We will continue to make the investments through the Next Generation of Jobs Fund and through the other sources that we have available. We will make the investments that will create jobs, that will ensure that we remain competitive in the—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary.

**Mr. Ted Chudleigh:** That was a terrible answer. He just got hosed in Oshawa, and there are no guarantees in the Next Generation. The fact is that this government's attempt to interfere and control the market is stifling Ontario's competitiveness. As their weak contracts are exploited, industries that do not receive government favour are being pillaged by some of the highest business taxes in the western world.

Deputy Premier, when will your government learn that no-strings-attached, one-off handouts are not effective in the long term? When will you stop wasting Ontario taxpayers' dollars and pay attention to some of the experiences you've had just recently in Oshawa, where you got hosed because your guarantees were no good?

**Hon. Dwight Duncan:** The member for Oshawa and the member for Whitby called for that. In fact, the federal Minister of Finance is now calling for more assistance to companies like General Motors. In the member's riding of Oakville, the very day the General Motors' announcement happened, Ford was announcing a new flex line at their plant and increased employment.

There is no doubt that we do need a variety of policies. That's why we have a five-point plan. That's why we're investing in skills. That's why we have cut the capital tax and eliminated it for manufacturers. That's why we are investing in research and innovation. That's why—

*Interjection.*

**The Speaker (Hon. Steve Peters):** I'd just remind the member from Halton: You just asked a question. You should be listening to the response. Minister.

**Hon. Dwight Duncan:** That's why we're investing in partnerships. This government's five-point plan is the right approach. It is the approach that will help get this economy through the challenges it faces, and we will be better and stronger as a result of it.

## CASINO EMPLOYEES

**Ms. Andrea Horwath:** To the Deputy Premier: In light of Ontario's job crisis, what is your government doing to ensure that the Ontario Lottery and Gaming Corp. stops its current drive to take away good-paying, full-time jobs and benefits from CAW casino workers that it employs in Brantford, Toronto and Sudbury?

**Hon. George Smitherman:** To the Minister of Public Infrastructure Renewal.

**Hon. David Caplan:** Quite the contrary, I can assure the member that the Ontario Lottery and Gaming Corp. has spoken to the conciliator and let him and the union know that they are quite eager to get back to the bargaining table. I want to encourage both parties to do so.

The facts are these: The Ontario Lottery and Gaming Corp. is seeking, on behalf of its shareholders, the people of Ontario, and on behalf of its employees a fair deal that will honour both parties and make sure that we have a strong sector. This corporation has taken great pains to bring a new culture of continuous improvement. I think that's being reflected in the current dialogue that is going on. Speaker, I can assure you and I can assure the member that all work is being done toward achieving a fair settlement, and I would encourage both parties to get back to the table to achieve that.

**Ms. Andrea Horwath:** The OLG is pressuring CAW to agree to demands that would replace their full-time casino staff with part-time temporary workers for less pay and fewer benefits. The government's own corporation is set to kill off full-time casino jobs and decent wages and benefits for workers. This cannot be allowed to stand.

Will this minister meet with CAW leadership immediately, as they have requested of him by letter, and work to ensure that the OGL doesn't erode the full-time employment status of CAW casino workers and the jobs that are supporting their families?

**Hon. David Caplan:** I can assure the member that it is not my intention to insert myself, as it would be inappropriate, into the current round of bargaining. We are working through the conciliation process, through the collective bargaining, which we do believe in. We don't believe there should be interference in that process. I'm encouraging both sides to come together to achieve a fair settlement.

Also, this member's charge, that somehow there is a change, is not quite in keeping with the facts in this province. In fact, this government and this corporation have invested considerably, and next week I'm looking forward to being in Windsor for the re-branding of Casino Windsor to the Caesars brand. That represents an investment today of some \$439 million back into this



sector, back into good jobs, back into supporting the communities of Windsor and the families right across this province that depend on these vital jobs. This government has taken great pains to invest in this sector—

**The Speaker (Hon. Steve Peters):** Thank you. New question? The member for London—Fanshawe.

### WORKPLACE SAFETY

**Mr. Khalil Ramal:** My question is for the Minister of Labour. I was shocked and horrified last week when a young, 14-year-old worker received burns to more than 50% of his body while working at an auto parts company. I understand from my colleague MPP Ruprecht that a workplace accident involving a 20-year-old happened in his riding at the end of May. That young man also received burns to 50% of his body.

Minister, I am sure it must be difficult for you to see these accidents happen over and over again. I would like know what steps your ministry is taking to make sure these kinds of accidents do not happen again and that the people of Ontario, especially our young workers, are safe when they go to work.

**Hon. Brad Duguid:** I thank the member for London—Fanshawe for the question. Having been to his riding not too long ago and meeting the stakeholders with the member, I know how concerned he is about injured workers, in particular the safety and health of young workers.

I share his concerns about these two injuries that have occurred over the last number of weeks, and my sympathies certainly go out to the parents and the injured workers themselves. We hope for a full and speedy recovery.

The reality is that a new worker is four times more likely to be injured in the first month on the job than at any time in their career after that. That tells me that we all have a lot of work to do when it comes to working with employers across this province to ensure that those young workers get the orientation and training they need to be healthy and safe when they get out on the job. I thank the member for raising this issue. It's a very important—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Khalil Ramal:** My constituents of London—Fanshawe, as do the members of this Legislature, want to know that their sons and daughters will return home from work safe and sound. I noted that you said that all MPPs got a kit on young worker safety again this spring. Has your ministry undertaken any other activities to help ensure the safety of our young workers? It's important not just for my riding, as I mentioned, but to all the members of this House, because it's very important for us to make sure our young workers, when they go to work, come back home safe. Can you tell us, Minister?

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**Hon. Brad Duguid:** Yes, indeed, we have sent out tip sheets that have been distributed to one million students from grades 7 to 12 right across the province. It is about

awareness. It is important that young people, when they go to their jobs this summer, are aware of the fact that they do have rights to protect themselves if they feel that what they're being asked to do is unsafe. It's about awareness for employers as well. They have a responsibility to ensure that they provide orientation and that they provide training. The member is quite right. We just celebrated Father's Day this weekend. As a father myself, when my son is old enough to go off to the workforce—I think all of us want to make sure that when they do go to their job, they will come home safe and sound. It's a priority for our government. We are conducting a blitz of employers across the province as we get into the summer job season, and we're making a number of other efforts in partnership with a number of others across this—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### SMALL BUSINESS

**Mr. Norm Miller:** My question is to the Minister of Small Business and Entrepreneurship, who doesn't appear to be here, so I will redirect the question to the Deputy Premier. What kind of support does your government offer small business operators in understanding and complying with provincial regulations?

**Hon. George Smitherman:** As the honourable member would know, even through question period, from an earlier question addressed by the Minister of Revenue, the government has had an approach which is designed to enhance the ease with which people working in small businesses are able to deal with the various regulatory challenges and burdens that are there. In addition, we're working with the Minister of Labour in the driver's seat to enhance our ability to diminish regulation burdens where possible. BizPal is a one-stop shop for business licensing and permits, which is a big step forward in design to enhance the ease with which small business operators can meet those various tests.

**Mr. Norm Miller:** I recently met with a convenience store operator in my riding of Parry Sound—Muskoka. He told me that times are tough. He has been in business for four years, and recently an inspector arrived at his business and wanted to see all the receipts for the past four years for cigars purchased. Without the receipts, the fine would have been \$10,000. Now, at no time since he bought the business has anyone from the government come around to tell him that he should be hanging on to these receipts. In fact, at no time has anyone from the government come in to give him any kind of advice or support on how to comply with your government regulations.

Minister, big business is packing up and leaving Ontario, and we're going to need to start treating small business a lot better in this province. It seems that your government is doing nothing to help small business. When will you start to work to help small business instead of putting the focus on laying charges and collecting fines?



**Hon. George Smitherman:** First off, the matter at hand that the honourable member raises is quite a serious public health concern. I think that it is important, as well, for the honourable member to acknowledge that there's a very strong likelihood that this regime—the one that he mentions—is identical to that which was in place when his party was in government.

But we have made huge strides forward on this issue. BizPal, as I mentioned in the earlier answer, is a partnership with the federal government and municipalities, an initiative that allows small businesses to create a customized list of permits and licences. This is a very, very important enabler. We've created a single corporate tax administration form, a one-stop regulatory registry, a master business licence, and compliance information systems. You can see that all across the landscape is an attempt to make easier the burdens associated with the regulation of business. These are initiatives which could have been—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### ERAMOSKA KARST

**Mr. Paul Miller:** My question is to the Minister of Public Infrastructure Renewal. Last week, your Ontario Realty Corp. held an agency public involvement centre drop-in session as part of the planning and class environmental assessment on the Eramosa karst feeder lands. The primary focus of the planning and class environmental assessment study is stated as the possible disposition of these ANSI feeder lands.

When will the Minister of the Environment and the Minister of Natural Resources do the right thing and transfer the ownership of the Eramosa karst to the Hamilton Conservation Authority?

**Hon. David Caplan:** Thank you for the question. It's quite bizarre, because I was on hand when I personally transferred the deed for the Eramosa karst to the Hamilton Conservation Authority. I don't know what further action he's looking for. I can tell the member, in fact, that the Ontario Realty Corp. has opened up dialogue with the local community. They have brought in international karst experts to provide the very best scientific data, research and advice as far as what further lands should be protected. It's a hallmark of this government to want to engage the public, to be able to open an honest dialogue with them and to listen to the advice that they receive before any future decisions are made.

The member is also aware that the city of Hamilton in an earlier official plan had designated these lands for development. They have subsequently decided to put a—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Paul Miller:** I'm glad the minister mentioned "honesty" and "experts." At the public consultation last week, the minister's true agenda for these lands was clearly visible. The mockery of the public consultation process was disgraceful. The unbiased premise for such

consultations was clearly breached and a major conflict of interest inflicted upon this process. Why has this minister hired Adi Irani of A.J. Clarke and Associates Ltd.—who just happens to be the president of the Hamilton-Halton Home Builders' Association, the voice of the residential and construction industry in our area—as a consultant to this project? Where are the environmentalists? Where are the local interest representatives? Nowhere. This is really special, Mr. Minister.

**Hon. David Caplan:** It is very special that finally we have a government committed to protecting public lands. It didn't occur under the NDP and it certainly didn't occur under the Conservatives. In fact, this government takes a back seat to no one on the opposite side of the Legislature when it comes to protecting the public interest and permanently protecting vital lands, as we did when I presented the deed for the karst lands to the Eramosa Karst Conservation Area in Hamilton.

The member is all rhetoric and hot air, because the facts are quite a bit different. The government has undertaken a genuine consultation process and has brought in international experts when it comes to the karst. I know that the member is very late to this particular issue and is trying to gain some particular attention for himself locally, but the fact is—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. New question.

#### CHINESE-CANADIAN HEAD TAX REDRESS DAY

**Mr. Charles Sousa:** My question is for the Minister of Citizenship and Immigration. June 22 is the second anniversary of the federal government's apology for a dark chapter in Canada's immigration history, the Chinese head tax and the subsequent Chinese Exclusion Act. These two separate pieces of legislation had a strong impact on Canada's immigration system, setting guidelines and a per person levy which discriminated against newcomers of Chinese origin.

Minister, as you well know, such federal restrictions at that time created serious social and economic consequences. Would the minister please tell us what the impact has been of this historic apology?

**Hon. Michael Chan:** My thanks to the honourable member for the question. The member is correct: June 22 marks the second anniversary of the federal government's apology for the Chinese head tax and the Chinese Exclusion Act. First passed by the House of Commons in 1885, the Chinese Immigration Act imposed a \$50 head tax on all people of Chinese origin upon entering Canada. This head tax was raised to \$500 in 1903, comparable to two years of wages at the time. While the tax decreased the number of Chinese newcomers, the amended Chinese Immigration Act of 1923 cut off all Chinese immigrants to Canada. This act stood from 1923 to 1947, banning Chinese immigration to Canada.

Canada is now a multicultural society, where it is widely acknowledged that diversity is one of our greatest



strengths. Currently, newcomers from 200 countries come to Canada—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary.

**Mr. Charles Sousa:** I, like all members of the Legislature, acknowledge that the Chinese head tax was discriminatory and unfair. I am pleased to note that, despite the adversities of the head tax, the Chinese community here in Ontario, which is hundreds of thousands strong, continues to make significant contributions to our province.

To the minister: What has been the response to the federal apology for the Chinese head tax here in Ontario and what effect does this have on immigration to Canada?

**Hon. Michael Chan:** In the fall of 2006, the then-Minister of Citizenship and Immigration rose in the Legislature to seek the consent of all parties to recognize June 22 as Chinese-Canadian Head Tax Redress Day in Ontario. On this day, members from all parties rose and confirmed their support for the federal apology and condemned the past discriminatory practices of the federal legislation. The apology itself was very important. It allows all Canadians, regardless of ethnic background, an opportunity to learn from the mistakes of the past and to continue building a strong Ontario for the future.

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Now, in my capacity as Minister of Citizenship and Immigration, I ask all members to pause for a moment on June 22 to reflect not only on the past injustices done or how far we have come but also about the work that still needs to be done to ensure that Ontario continues to be a place of opportunity for newcomers from all over the world.

## GREENHOUSE INDUSTRY

**Mr. John Yakabuski:** I have a question for the Minister of Energy with respect to the Ontario Greenhouse Alliance, and we welcome them to the Legislature today. Minister, I understand that the greenhouse industry has met with successive Ministers of Energy on several occasions to discuss the potential benefits of the Ontario Power Authority's energy programs as they relate to the province's supply requirements and the opportunities for the greenhouse industry to be part of the OPA solution, at the same time providing for the sustainability of the industry. Can the minister provide us with an update on the status of the clean energy standard offer program and its feasibility for the greenhouse industry?

**Hon. Gerry Phillips:** The member is right: I have met with them. My colleague from Essex is a relentless champion of the greenhouse industry. My wife is from Leamington, so I have a good appreciation of the greenhouse business.

Yes, they have a proposal, to use the language that the member used—the clean energy standard offer program. What that really means is that the industry can produce electricity as part of their heating projects in their green-

houses and sell it into the grid, as we call it—sell electricity to the rest of the people in Ontario. It is a good idea. The OPA, on our behalf, is pursuing that.

**The Speaker (Hon. Steve Peters):** Answer?

**Hon. Gerry Phillips:** My understanding is—and I will give the total answer in a few minutes—that in the week of July 14, they'll release the draft rules, and I'll tell you the rest of the story in the supplementary.

**Mr. John Yakabuski:** Minister, you acknowledge—and we've talked about it many times—that we've got a supply problem in this province, and much of it is as a result of your government's energy plan. Combined heat and power can be a huge part of that solution, and the greenhouse industry is a very appropriate sector for combined heat and power. Could I ask the minister if he would direct the OPA—because they've had meetings with three successive ministers over three years—to sit down for some meaningful discussions with the greenhouse industry so that they can move on with a standard offer program that is beneficial not only to their industry but to everybody in Ontario who is facing energy shortages as we go into the future?

**Hon. Gerry Phillips:** I won't let one of the things he said go unchallenged. We'll have more new electricity generation coming online in the next 18 months than at any other period in the history of the province, so I'm happy with that.

Again, as a result of the work of my colleague from Essex and others, the Ontario Power Authority will sit down with the greenhouse industry. As I said, the plan right now is that in the week of July 14, as a result of those discussions, draft rules will be issued. In the week of August 11, the final rules will be issued, and we can get on with this process of signing contracts with our greenhouse partners to produce electricity for the people of Ontario.

## COLLECTIVE BARGAINING

**Mr. Gilles Bisson:** My question is to the Minister of Labour. Minister, you'll know that Unilever, down on Lakeshore, about six years ago remorphed itself into a company called Korex. In order for that company to stay open, the new company, Korex, wanted concessions from the workers. The Energy and Paperworkers Union of Canada sat down and negotiated a six-year agreement where they took an 85-cent cut in pay and they froze their salary and their collective agreement for six years in order to save that company.

Today the new owner-operator of Korex is saying that they want to take out of the collective agreement everything but wages and benefits; in other words, all of the seniority rights, all of the grievance procedures and all of the language that the workers have benefited from for many years in that company. My question on behalf of those workers is: What are you going to do to protect those workers' rights?

**Hon. Brad Duguid:** I thank the member for raising the issue. It would be totally inappropriate for the Minis-



ter of Labour to comment specifically about a matter that's going on between an employer and an employee with regard to their collective bargaining agreement.

However, we do have mediators in the Ministry of Labour. I think everybody in this Legislature respects them as being among the best mediators in the country. We're always pleased to place those mediators at the disposal of parties when they're in these kinds of disputes to provide advice and help them reach agreements that they can go forward together with. It's in the interest of everybody if, indeed, the employers and the employees can reach those agreements. If that is not possible, the member would know that the workers and—assuming that they're unionized as well—their unions could—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary.

**Mr. Gilles Bisson:** Of course they're unionized; they're CEP. That was part of the question.

Listen: If the Minister of Labour is not going to protect workers, then who in this province will protect workers? The issue here is, the employer is saying, "I want to gut your collective agreement and take out things that have been given you by right through the Ontario Labour Relations Act." These workers, for years, have done what they've had to do to keep this company afloat. All they get back in exchange is a company that says that they want to gut those rights.

It's bad enough that we're losing jobs at GM and losing jobs across this province. What are you going to do to protect workers who are working today, to make sure we don't have bad bosses who come in and try to take away all of the collective rights that workers have fought for all these years?

**Hon. Brad Duguid:** I think what the member is asking me to do is intervene in a matter that's before the Ontario Labour Relations Board. I think the member knows full well that it would be completely inappropriate for the Minister of Labour to do that.

What we can do, and what we do do, is assist parties in trying to come together and reach agreement. We certainly have mediators who are available to assist the parties in these matters. Workers have the opportunity to grieve matters when they feel an employer has in some way abrogated their collective bargaining agreement. That's what the Ontario Labour Relations Board is there for. Certainly, in a matter such as this, the Ontario Labour Relations Board would have an opportunity to take the issues that the member has brought up under advisement. Our goal as a government is to provide a climate where parties can, in a balanced way—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

## POST-SECONDARY EDUCATION

**Mr. David Zimmer:** My question is to the Minister of Training, Colleges and Universities. In a changing global economy, knowledge and skills are key to future success.

To compete in the changing global economy, we need to make sure that Ontarians are at their best.

Our primary, secondary and post-secondary educational institutions play a huge role in educating future leaders and innovators. That's why our Ontario government places such high emphasis on education. Post-secondary institutions allow students an opportunity to develop and refine their skills. They offer future leaders the support and guidance they need.

Our Reaching Higher plan was the largest single investment in post-secondary education in 40 years. Minister, what else are you doing to make our post-secondary schools—

**The Speaker (Hon. Steve Peters):** Thank you. Minister.

**Hon. John Milloy:** I'd like to applaud the honourable member's support for post-secondary education. As members know, in order to compete globally, not only do we need to invest in post-secondary education and training; we also need to invest in research around international issues.

I was very pleased last week to announce a \$25-million investment at the University of Toronto for the new School of International Studies. The new school raises Ontario's profile on the world stage, bringing together the Munk Centre for International Studies and the Canadian International Council, while forging strong ties with the School of Public Policy and Governance and the Rotman School of Management. It will create opportunities for 15 new Ph.D. students this year and 40 masters students over the next two years.

Institutions like this will attract some of the best scholars and ensure Ontario's place as a leading research—

**The Speaker (Hon. Steve Peters):** Thank you. The time for question period has expired.

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## PETITIONS

### STROKE SURVIVORS

**Mr. Gerry Martiniuk:** I have a petition signed by 2,649 good residents of Cambridge, presented to me by the Cambridge Stroke Recovery Association and Norma, Rudy and Doug Martin.

"Whereas there is a complete lack of government-funded outpatient therapy for stroke survivors upon discharge from hospital in the city of Cambridge ... ; and

"Whereas, on October 29, 2004, a state-of-the-art government-funded outpatient hospital program, which included therapy programs for stroke survivors discharged from the hospital, was cut by the Cambridge Memorial Hospital due to a lack of provincial funds;

"We, the undersigned stroke survivors, caregivers, family members and friends of stroke survivors in Cambridge ... , draw your attention to the following:



"That the absence of a government-funded outpatient therapy program leaves many stroke survivors who are unable to pay for private therapy with a gap in services. As a result of this lack of therapy, many survivors despair and regress; and

"That therapy is critical to restoring a survivor's ability to function and become rehabilitated and reintegrated in the community, as opposed to being forced to enter a long-term-care facility, thus saving the system money while greatly improving the quality of life for stroke survivors and their families; and

"That resources devoted to fund one in-patient stroke rehabilitation bed could fund a full stroke rehabilitation outpatient team (full-time physiotherapist and occupational therapist and half-time speech-language pathologist and social worker) for one year ("Starting a Revolution in Stroke Rehabilitation");

"Therefore, we request that the Ontario government give priority to restoring a government-funded outpatient therapy program in Cambridge, Ontario, to provide desperately needed rehabilitation for stroke survivors (and others with similar needs) after discharge from hospital."

As I agree with the contents of the petition, I affix my name thereto.

#### PROTECTION FOR MINERS

**M<sup>me</sup> France Gélinas:** I have a petition from the people of Naughton and Whitefish.

"Whereas the current legislation contained in the Ontario health and safety act and regulations for mines and mining plants does not adequately protect the lives of miners; we request revisions to the act;

"Lyle Everett Defoe"—a resident of my riding—"and the scoop tram he was operating fell 150 feet down an open stope (July 23, 2007). Lyle was 25 years and 15 days old when he was killed at Xstrata Kidd Creek mine site, Timmins;

"Section R-60 ... states that, 'A shaft, raise or other opening in an underground mine shall be securely fenced, covered or otherwise guarded....' The stope where Lyle was killed was protected by a length of orange plastic snow fence and a rope with a warning sign. These barriers would not have been visible if the bucket of the scoop tram was raised. Lyle's body was recovered from behind the scoop tram."

They ask the Legislative Assembly to enact:

"Concrete berms must be mandatory to protect all open stopes and raises;

"All miners and contractors working underground must have working communication devices and personal locators;

"All equipment involved in injuries and fatalities must be recovered and examined unless such recovery would endanger the lives of others; and

"The entire act must be reviewed and amended to better protect underground workers."

I fully support this petition, will affix my name to it and send it with page Murray.

#### ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

**Mr. Pat Hoy:** I have a petition signed by persons from Blenheim, Tilbury, Ridgetown, Chatham and many other points within my riding.

"Whereas the Ontario Society for the Prevention of Cruelty to Animals Act has not been updated since 1919; and

"Whereas Bill 50 would require all veterinarians to report suspected abuse and neglect, protecting veterinarians from liability; and

"Whereas it would allow the OSPCA to inspect and investigate places where animals are kept; and

"Whereas the bill would prohibit the training of animals to fight; and

"Whereas Bill 50 would allow the OSPCA to inspect roadside zoos;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 50, entitled the Provincial Animal Welfare Act, 2008, to protect our animal friends."

I have signed the petition.

#### POPE JOHN PAUL II

**Mr. Jim Wilson:** "Whereas the legacy of Pope John Paul II reflects his lifelong commitment to international understanding, peace and the defence of equality and human rights;

"Whereas his legacy has an all-embracing meaning that is particularly relevant to Canada's multi-faith and multicultural traditions;

"Whereas, as one of the great spiritual leaders of contemporary times, Pope John Paul II visited Ontario during his pontificate of more than 25 years and, on his visits, was enthusiastically greeted by Ontario's diverse religious and cultural communities;

"Therefore we, the undersigned, petition the Parliament of Ontario to grant speedy passage into law of the private member's bill An Act to proclaim Pope John Paul II Day."

I agree with this petition and am signing it.

#### HOSPITAL FUNDING

**Mr. Bob Delaney:** I have a petition to the Ontario Legislative Assembly, and I thank many of the staff at Credit Valley Hospital for having affixed their signatures to it. It reads as follows:

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating

theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I am pleased to sign and support this petition and to ask page Christopher to carry it for me.

### HOSPITAL FUNDING

**Mrs. Christine Elliott:** I have a petition to the Legislative Assembly of Ontario.

"Whereas we, the undersigned, believe that Ajax-Pickering hospital should have full funding for mental health, including beds; and

"Whereas this would affect the mental health programs and mental health beds at the Ajax-Pickering hospital;

"Therefore be it resolved that we, the undersigned, respectfully petition the Legislative Assembly of Ontario to:

"Fully fund the mental health beds and programs at Ajax-Pickering hospital."

I'm pleased to sign in support.

### HOSPITAL FUNDING

**Mr. Joe Dickson:** This is a new petition for the preservation of Ajax-Pickering hospital.

"To the Legislative Assembly of Ontario:

"Whereas the Rouge Valley Health board reversed the 2006 announcement closing the maternity and pediatric services at the Ajax-Pickering hospital due to an overwhelming public outcry; and

"Whereas the Rouge Valley Health board of directors has recently approved closing the 20-bed mental health unit at the Ajax-Pickering hospital; and

"Whereas there remains further concern by residents for future maternity/pediatric closings, particularly with the new birthing unit at Centenary hospital, which will see 16 new labour, delivery, recovery and postpartum ... birthing rooms and an additional 21 postpartum rooms opening this fall in 2008, even with the Ontario Ministry of Health's largest-ever expansion of the Ajax-Pickering hospital; and

"Whereas there is a natural boundary, the Rouge Valley, that clearly separates the two distinct areas of Scarborough and Durham region;

"We, the undersigned, therefore petition the Legislative Assembly of Ontario as follows:

"That the Central East Local Health Integration Network ... and the Rouge Valley Health System ... board of

directors review the Rouge Valley Health System make-up and group Scarborough Centenary hospital with the three other Scarborough hospitals; and

"Further, that we position Ajax-Pickering hospital within Lakeridge Health, thus combining all of our hospitals in Durham region under one Durham region administration."

I affix my signature to this and will pass it to Dina.

### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Mrs. Christine Elliott:** I have a petition to the Legislative Assembly of Ontario.

"Whereas many young people with developmental special needs have no meaningful social, recreational or vocational opportunities after high school; and

"Whereas many of these young people have no real options for living independently in the community; and

"Whereas current supports in place are insufficient to meet the needs of these young people;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government allocate an appropriate level of funding to advance a transformation agenda of individualized funding for adults with developmental special needs in the province of Ontario to allow them to live with dignity and to reach their full potential as members of our communities."

I'm pleased to sign this and give it to page Murray to take to the table.

1200

### EMPLOYMENT INSURANCE

**Mr. Lou Rinaldi:** I have a petition here, and I'll read it.

"Whereas the federal government's employment insurance surplus now stands at \$54 billion; and

"Whereas over 75% of Ontario's unemployed are not eligible for employment insurance because of Ottawa's unfair eligibility rules; and

"Whereas an Ontario worker has to work more weeks to qualify and receives fewer weeks of benefits than other Canadian unemployed workers; and

"Whereas the average Ontario unemployed worker gets \$4,000 less in EI benefits than unemployed workers in other provinces, thus not qualifying for many retraining programs;

"We, the undersigned, petition the Legislative Assembly of Ontario to press the federal government to reform the employment insurance program and to end the discrimination and unfairness towards Ontario's unemployed workers."

I've signed this, and I'll have Christopher from the great riding of Northumberland-Quinte West deliver it to the table.



## HOSPITAL FUNDING

**Mrs. Christine Elliott:** "To the Legislative Assembly of Ontario:

"Whereas we, the undersigned, believe that Ajax-Pickering hospital should have full funding for mental health, including beds; and

"Whereas this would affect the mental health programs and mental health beds at the Ajax-Pickering hospital;

"Therefore be it resolved that we, the undersigned, respectfully petition the Legislative Assembly of Ontario to:

"Fully fund the mental health beds and programs at Ajax-Pickering hospital."

I'm pleased to sign this in support.

## GRAFFITI

**Ms. Laurel C. Broten:** "To the Legislature of Ontario:

"Whereas graffiti creates a nuisance that can adversely affect property values, business opportunities and the enjoyment of community life; and

"Whereas graffiti promotes a sense of disrespect for private property and a perception that laws protecting public and private property can be disregarded with impunity; and

"Whereas it is important that everyone do their part in keeping both public and private properties free of graffiti in order to maintain community pride and confidence; and

"Whereas the quick removal of graffiti from walls, fences and other structures is critical to maintaining community cleanliness and beauty; it is always true that the prevention is the best policy;

"Accordingly, we, the undersigned, petition the Legislature:

"To impose certain conditions on the sale of spray paint, broad-tipped marker pens, paint pens, glass-cutting tools and glass-etching tools or instruments of graffiti and to make it be unlawful for any person, other than a parent, legal guardian, school teacher or law enforcement officer in the performance of duty, to sell, exchange, give, deliver, loan, or otherwise furnish or permit to be sold, exchanged, given, delivered or loaned any prohibited graffiti material to any minor unless the minor is accompanied by their parent or legal guardian."

SERVICES FOR THE  
DEVELOPMENTALLY DISABLED

**Mrs. Christine Elliott:** "To the Legislative Assembly of Ontario:

"Whereas many young people with developmental special needs have no meaningful social, recreational or vocational opportunities after high school; and

"Whereas many of these young people have no real options for living independently in the community; and

"Whereas current supports in place are insufficient to meet the needs of these young people;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government allocate an appropriate level of funding to advance a transformation agenda of individualized funding for adults with developmental special needs in the province of Ontario to allow them to live with dignity and to reach their full potential as members of our communities."

I'm pleased to sign this in support.

## HIGHWAY 138

**Mr. Jim Brownell:** I have a petition from a number of constituents from Stormont-Dundas-South Glengarry, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas provincial Highway 138 is one of the province's only two-lane roadways within the region and provides the main connection from the international bridge at Cornwall through Stormont, Dundas and Glengarry to Highway 401 and Highway 417; speed and traffic volumes are of particular concern and may have been contributing factors in numerous collisions and fatalities;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To urgently consider measures that will address the serious public safety and traffic hazard concerns on provincial Highway 138."

I shall affix my signature and send this to the clerks' table.

## HOSPITAL FUNDING

**Mr. Joe Dickson:** "To the Legislative Assembly of Ontario:

"Whereas the Central East Local Health Integration Network ... board of directors has approved the Rouge Valley Health System's deficit elimination plan ... ; and

"Whereas, despite the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a project that could reach \$100 million, of which 90% is funded by the Ontario government, this plan now calls for the ill-advised transfer of 20 mental health unit beds from Ajax-Pickering hospital to the Centenary Health Centre in Scarborough; and

"Whereas one of the factors for the successful treatment of patients in the mental health unit is support from family and friends, and the distance to Centenary Health Centre would negatively impact on the quality of care for residents of Ajax and Pickering; and

"Whereas it is also imperative for Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding;

"We, the undersigned, therefore petition the Legislative Assembly of Ontario as follows:

"That the Rouge Valley Health System continue to provide the current level of service to our Ajax-Pickering hospital, which now serves the fastest-growing communities of west Durham; and

"That the Ajax-Pickering hospital retain the badly needed 20-bed mental health unit."

I affix my signature to that and pass it to Brianne.

**The Speaker (Hon. Steve Peters):** The time for petitions has ended. This House stands recessed until 1 p.m. this afternoon.

*The House recessed from 1205 to 1300.*

## MEMBERS' STATEMENTS

### ONTARIO FARMERS

**Mr. Ernie Hardeman:** For many farmers, on-farm sales are an important source of additional income. For many families, stopping at a farm to purchase newly picked Ontario corn, strawberries, tomatoes or other produce is a summer tradition. People watch for road signs to know when crops are ready and where they are available for sale. But in Dalton McGuinty's Ontario, this simple tradition is being threatened.

Many farms aren't located on the well-travelled provincial highways; they're on country side roads. Customers and farmers rely on directional signs to help people find the farms where produce is being sold. But for farmers like Charles Emre, an asparagus farmer in Norfolk, having that sign has become a battle.

This spring, Charles posted his sign, with permission, on private property along Highway 24. Soon afterwards, the owner of the land received a threatening letter from MTO telling them to take it down. Charles estimated that his sales dropped by 50% without the sign. The story appeared in newspapers across Ontario. Since then, MTO agreed to ignore the sign for the rest of the harvest.

We want our Ontario farmers to succeed. We want people to Buy Ontario, but the ministry's action had the exact opposite effect. Farmers shouldn't have to go through this. That's why, later today, I will be introducing a bill that will allow farmers to post seasonal directional signage along provincial highways, so that farmers like Charles can stop dealing with red tape and get back to dealing with asparagus, potatoes and all the people who will once again follow the signs to Ontario's freshest produce.

### STILT WALK CHALLENGE

**Mr. Dave Levac:** I would like to recognize six exceptional students of North Park Collegiate's leadership class in Brantford, organizers of the recent stilt walk challenge—Sam Brandow, Kristie Wilhelm, Brittany Baker, Kylee Wilson-Powell, Deanna Murray and Meaghen Rollins—and congratulate them for organizing the event and motivating the participants to come out and

beat the Guinness world record for the most people simultaneously walking on stilts.

In the summer of 2007, Doug Hunt—"Doug the Great," as he's known—director of marketing, fundraising and volunteers of Participation House Brantford and world record holder himself for walking on the tallest stilts in the world, approached teacher Ted Thomas of the leadership class to join him in attempting his third time to break the stilt-walking record. Mr. Thomas agreed, and on May 15, 625 participants from North Park Collegiate in Brantford, Paris District High School of Paris and residents of Brant county taped themselves to stilts and walked 100 metres down the North Park track, more than the previous Guinness record held by Cirque du Soleil and unofficially beating the Japanese record.

Proceeds are still coming in on a daily basis from this successful fundraiser, which benefits Participation House Brantford, a not-for-profit organization that serves adults between the ages of 16 and 65 with physical disabilities in Brant county.

I extend my heartfelt appreciation for the great efforts of the organizers, especially the students, and the participants of the stilt walk challenge who made this possible, and thank them for bringing Brantford recognition on the world Guinness map.

### TOURISM

**Ms. Laurie Scott:** I rise this afternoon to recognize the resorts, lodges and tourism operators of Haliburton-Kawartha Lakes-Brock and their tremendous efforts to provide jobs and promote Ontario—no thanks to Dalton McGuinty, who is in California, possibly at an off-site movie studio with the Governor filming *True Lies*, part two.

Unfortunately, our dedicated tourism operators are being left to go it on their own, and they are doing a tremendous job, despite tough economic times and predictions for a soft season. Resorts Ontario tells us that the number of employee hours worked to date is down 24% from last year. That means lost jobs.

Tourism businesses and employees are looking for a show of faith from the Liberal government. What they are being given is a do-nothing strategy from the Minister of Tourism.

The PC caucus proposed a strategy to save Ontario families some of their hard-earned money by eliminating the retail sales tax for the summer on tourism operations and attractions.

The Ontario Tourism Industry Association understands the urgency. The Northern Ontario Tourist Outfitters Association supports our plan, Attractions Ontario supports our plan, and many others do also. Despite the support from all across Ontario, Mr. Fonseca has told vacationing families that he has no intention to save them money, even as he sits high atop the huge piles of tax he collects from the tourism operators. The challenges of our economy are real and the signs are clear, yet the Premier and his do-nothing-strategy colleagues have their heads buried deep in the sand over there.



Once again, instead of leadership and a willingness to work hard, this Liberal government is doing nothing other than hoping all the bad stuff will go away. It's time to help tourism in the province of Ontario. The time is now.

**The Speaker (Hon. Steve Peters):** I'd just ask the honourable member to withdraw the comment she made regarding the movie.

**Ms. Laurie Scott:** I'll withdraw at your request, but it's a title of a movie.

#### ERAMOSKA KARST

**Mr. Paul Miller:** This morning, I asked a question of the Minister of Public Infrastructure Renewal about the Eramosa karst feeder lands, which he clearly tried to avoid and deflect by confusing these lands with the Eramosa Karst Conservation Area. The minister knows that the people of Hamilton are clear that this government is not meeting their wishes to keep the feeder lands in public hands.

On my tour of the feeder lands last Friday, I saw the results of development where a berm had been installed. The water flow had been completely dried up and the area had become a dump for all sorts of garbage. This is the fate facing the Eramosa Karst Conservation Area if any development is permitted on the feeder lands, and this government knows it.

This government not only refuses to answer the questions in the Legislature, but it seems focused only on trying to confuse issues, blame the opposition parties and ignore the real issue. The government's own greenbelt plan gives permanent protection to the natural heritage and water resource systems that sustain ecological and human health. The preservation of the feeder lands would do exactly that: It would preserve the Eramosa Karst Conservation Area.

The official opening of the Eramosa Karst Conservation Area is this Friday, which will be a short-lived celebration, as the development of the feeder lands would stop the water flow, causing a death sentence for the karst. Let me be very clear: The feeder lands need to be preserved in their natural state. That means no development of the Eramosa karst feeder lands.

#### TOWNSHIP OF WILMOT

**Ms. Leeanna Pendergast:** I had the opportunity this past weekend to be part of a history-making day, attending the grand opening of the Wilmot Recreation Complex in the town of New Hamburg in my riding of Kitchener-Conestoga. The township of Wilmot, under the leadership of its mayor, Wayne Roth, welcomed the community to share in a day of live music, ice skating, in-line and roller skating and an all-day free barbecue.

Many other mayors, including Carl Zehr of Kitchener, Bill Strauss of Woolwich and Ross Kelterborn of Wellesley, joined us, as well as some Wilmot councillors: Les Armstrong, Elliot Fung, Terry Broda and Peter

Roe. Once again, a thank you to the Honourable Jim Watson, the former Minister of Health Promotion, who had the foresight to commit the \$4 million to this project.

As a complement to my "Eat Local: Live Fresh" resolution, Wilmot township, through Wilmot Healthy Communities, is celebrating Living Well Week from June 20 to June 27 at the Wilmot Recreation Complex. This is a partnership with local schools, businesses and churches, including Waterloo-Oxford District Secondary School, Waterloo Regional Police Service and the Wilmot Family Resource Centre. We invite everyone to come and join us in growing a healthy community by eating and living local in Wilmot township.

#### GOVERNMENT'S RECORD

**Mr. Ted Chudleigh:** I've come across a poem written by Ginty McDalton. It's Reflections on a Session.

The session is over and what have we done?

We've banned everything under the sun.

Now you don't need to think; simply obey.

We'll run your lives for you, the Liberal way.

Science and prayers and trans fats—banned.

Don't mind bigger issues at hand,

Like C. difficile or native affairs;

Those will take care of themselves, I swear.

All session long, there's been too much complaining

About the very few well-paying jobs we're retaining.

This too shall pass, auto sector aside,

So steel yourselves for the Liberal slide.

And wait till you hear of the new plans we've hatched:

More cash for our friends, no strings attached.

We'll never cut taxes; we need them too much

For gifts and for votes and for slush funds and such.

Democracy: It's much overrated,

So we've changed the hours, and boy, did they hate it.

How dare they ask their insolent questions?

How dare they bore us with their suggestions?

For we are the Liberals, Ontario's elite;

We like our sessions short and sweet.

We're in control and we like it that way;

We might crown McGuinty king one day.

Oh, what a session, it was so entertaining.

Despite all the bungles that needed explaining,

Despite the closures and infectious disease,

Despite all that, it was really a breeze.

Many have lost, many lives in dismay.

To these whiners and losers and skeptics, I say:

Be happy; don't be a doubting Thomas;

Things will get better, somehow, I promise.

1310

#### STUDENT LITERACY

**Mr. Kevin Daniel Flynn:** I rise in the House today, oddly enough, to highlight the Ontario secondary school literacy test scores that were recently released. Literacy

tests are especially important because strong literacy skills form a strong foundation for future learning and development.

Overall, the test scores showed an 84% success rate, which is up from 72% in 2002. That's a 12% increase. That means that almost 25,000 more students passed the test. One must bear in mind that 10,000 more students wrote the test than did in 2002.

I was especially pleased to hear that the Halton District School Board and the Halton Catholic District School Board both scored exceptionally well, with 90% and 92% success rates respectively.

While keeping in mind that test scores are only one measure of success, I congratulate the students, the teachers, the principals, the parents and the support workers who have all worked together to achieve these great results.

While this government proudly acknowledges this success, we know that this is not a time to rest on our laurels. We know that many students still face challenges, both inside and outside the classroom. With this in mind, we will continue to work with our partners in the education system to ensure that every student in every school is given the tools they need to achieve success.

#### TRILLIUM BOOK AWARD

**Mr. David Zimmer:** Last week, the Minister of Culture, along with Kevin Shea, chair of the Ontario Media Development Corp., announced the winners of the Trillium Book Award.

Established in 1987, the Trillium Book Award is Ontario's leading award for literature, recognizing literary excellence and celebrating creativity. The Trillium Book Award also promotes Ontario writers and their works.

Barbara Gowdy received the English-language book award for her book *Helpless*. The French-language book award went to *L'oeil de la lumière* by Pierre Raphaël Pelletier. The English-language poetry award went to *Human Resources* by Rachel Zolf, and Tina Charlebois was recognized for her French-language work entitled *Poils lisses*.

These award winners join the exceptional company of past Trillium Book Award winners, including Margaret Atwood, Michael Ondaatje and Timothy Findley.

I wish to congratulate our winners and the finalists for inspiring all Ontario writers and for providing Ontarians with wonderful and compelling pieces of literature.

#### GREENHOUSE INDUSTRY

**Mr. Bruce Crozier:** I would like to welcome members of the Ontario Greenhouse Alliance who are visiting us in the Legislature today, some of whom are in the members' gallery.

Formed in 2003, the alliance represents the largest cluster of greenhouse production in North America, and it's located right here in Ontario.

The greenhouse industry contributes \$4 billion per year to our province's economy. In Ontario, there are over 1,200 greenhouse operations, most of which are concentrated in and around the ridings of Essex, Chatham-Kent-Essex and the Niagara region.

Greenhouse operations in Ontario employ more than 19,000 people, with over \$2 billion in structures. At the current rate of expansion, the industry is targeting a further investment in rural Ontario of some \$20 million per annum, bringing substantial benefit to rural economies.

Again, I welcome the Ontario Greenhouse Alliance to Queen's Park today. I encourage all members to stop by the legislative dining room this afternoon to meet some of their members and, of course, to pick up a sample of their beautiful plants and delicious vegetables, grown right here in Ontario, in our backyard.

#### REPORT, INTEGRITY COMMISSIONER

**The Speaker (Hon. Steve Peters):** I beg to inform the House that on June 13, 2008, the report of the Integrity Commissioner concerning her review of expense claims under the Cabinet Ministers' and Opposition Leaders' Expenses Review and Accountability Act, 2002, for the period April 1, 2007 to March 31, 2008, was tabled.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON JUSTICE POLICY

**Mr. David Zimmer:** I beg leave to present a report from the Standing Committee on Justice Policy and move its adoption.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** Your committee begs to report the following bill without amendment:

Bill 41, An Act to amend the Highway Traffic Act in relation to the use of speed-limiting systems in commercial motor vehicles / *Projet de loi 41, Loi modifiant le Code de la route relativement à l'utilisation de systèmes limiteurs de vitesse dans les véhicules utilitaires.*

**The Speaker (Hon. Steve Peters):** Shall the report be received and adopted?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it. The bill is therefore ordered for third reading.

*Report adopted.*

##### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**Mrs. Julia Munro:** I beg leave to present a report on agencies, boards and commissions: Health Professionals Appeal and Review Board, from the Standing Committee



on Government Agencies, and move the adoption of its recommendations.

*Report adopted.*

**The Speaker (Hon. Steve Peters):** Does the member wish to make a brief statement?

**Mrs. Julia Munro:** As Chair of the Standing Committee on Government Agencies, it is my privilege to table the report of the committee. The report I am tabling today covers work undertaken and completed by the committee in the last Parliament prior to the calling of October's provincial election.

The committee undertakes reviews from time to time of the operation of selected boards, agencies and commissions of the province. This report of the committee reviews and commends the work of the Health Professionals Appeal and Review Board and makes recommendations on how they may improve some of their approaches and procedures.

We express our appreciation to all the witnesses who appeared before us during the public hearings on this agency. The committee was ably assisted by its staff in the last Parliament: Tonia Grannum, the clerk of the committee, and Carrie Hull and Larry Johnston, the research officers. I move adjournment of the debate.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Debate adjourned.*

## INTRODUCTION OF BILLS

### INCREASING ACCESS TO QUALIFIED HEALTH PROFESSIONALS FOR ONTARIANS ACT, 2008

#### LOI DE 2008 VISANT À ACCROÎTRE L'ACCÈS DES ONTARIENNES ET DES ONTARIENS AUX PROFESSIONNELS DE LA SANTÉ QUALIFIÉS

Mr. Smitherman moved first reading of the following bill:

Bill 97, An Act to increase access to qualified health professionals for all Ontarians by amending the Regulated Health Professions Act, 1991 / Projet de loi 97, Loi visant à accroître l'accès des Ontariennes et des Ontariens aux professionnels de la santé qualifiés en modifiant la Loi de 1991 sur les professions de la santé réglementées.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The minister for a short statement.

**Hon. George Smitherman:** I'll save my time for ministerial statements.

### SIGNAGE TO PROMOTE ONTARIO GROWN AGRICULTURAL FOOD PRODUCTS ACT, 2008

#### LOI DE 2008 SUR L'AFFICHAGE VISANT À PROMOUVOIR LES PRODUITS AGROALIMENTAIRES CULTIVÉS EN ONTARIO

Mr. Hardeman moved first reading of the following bill:

Bill 98, An Act to promote the sale of Ontario grown agricultural food products by amending the Municipal Act, 2001 and the Public Transportation and Highway Improvement Act / Projet de loi 98, Loi visant à promouvoir la vente de produits agroalimentaires cultivés en Ontario en modifiant la Loi de 2001 sur les municipalités et la Loi sur l'aménagement des voies publiques et des transports en commun.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Mr. Ernie Hardeman:** Many farmers who offer fresh Ontario-grown produce from their farm are located on country side roads. If passed, this act would allow farmers to post seasonal directional signage on private property adjacent to a provincial highway to bring people to the farm. The exemption would only apply to signs owned by farmers who are selling their own fresh produce and Ontario-grown food products.

1320

## STATEMENTS BY THE MINISTRY AND RESPONSES

### FOREIGN-TRAINED DOCTORS

**Hon. George Smitherman:** It is with great pride that I rise in this House today to introduce the latest significant step our government is taking to improve access to health care for the people of this province: a new piece of legislation, the Increasing Access to Qualified Health Professionals for Ontarians Act, 2008.

Regulatory health colleges have been instrumental in protecting the public interest by ensuring the safe practice of health providers. If passed, today's legislation broadens their mandate to help ensure that the concept of all Ontarians having access to family health care is part of this public interest. Today, our government is challenging our partners, the regulatory colleges, to take on this new responsibility of helping qualified internationally trained health professionals enter our health care system.

This builds on a solid foundation of work that we have done in Ontario these past four and a half years. When our government came to office in 2003, one of the first

things we did was increase the number of residency positions so that more international medical graduates could get the training they needed so that their skills would be best put to use on behalf of Ontarians. As a result of our efforts, there are currently 630 additional international medical graduates now in residency training in the province of Ontario. These are in addition to 135 international medical graduates who recently finished and are moving to practise in communities across the province.

But barriers remain. When our government was honoured by the people of Ontario with a second mandate, we set about tackling this issue with renewed vigour. Today's legislation and complementary regulatory changes signal our next major steps in breaking down these barriers.

I asked Etobicoke–Lakeshore MPP Laurel Broten, my parliamentary assistant, to focus her energy, her heart and her soul on the steps that we can take to further reduce barriers for international medical graduates so Ontario patients can have timely access to the care they need. She produced a report that is courageous and ambitious and one I encourage all my colleagues to read. It's a report that champions the idea that we must be relentless in pushing aside barriers that separate Ontarians from the caregivers they need. Her recommendations break down into five initiatives we can undertake in partnership with the College of Physicians and Surgeons of Ontario over the coming months. These include regulatory changes that are complementary to today's legislation.

First, she wants us to enhance our ability to safely and appropriately allow qualified internationally trained doctors who come to Ontario to begin practising immediately. These are doctors who have trained and worked in a country where the medical education and health care system is similar to Ontario's. With this change, they will no longer be forced to be retrained; instead, they go direct to practice.

Second is the creation of new classes of licences, such as transitional licences, which recognize that many doctors can come here and begin practice with some limited supervision, or a restricted licence for doctors whose practice is limited to their highly specialized training, such as a neonatologist.

Third, we need to offer more timely and improved assessments to help internationally trained doctors determine where they fit best.

Fourth: expanded access to programs that help doctors training in other systems to bridge the cultural and language gaps through education, mentorship and hands-on training.

Fifth, in those cases where an international medical graduate is not likely to achieve success as a doctor, we have an obligation to be honest about it and to quickly work with that individual to transition him or her to alternate roles in our health care system, such as the new role of physician assistant.

Ms. Broten's report is an excellent one, and it has informed the legislation I am introducing today, as well as

being the foundation for the regulatory changes we will be developing with the College of Physicians and Surgeons over the summer.

Let me say that patient safety is at the heart of this legislation and at the heart of everything we do in health care. None of the changes we are proposing will result in shortcuts to practice of any kind. Rather, they will improve access for Ontarians to doctors who want to practise medicine and who are qualified to practise medicine. And that is the name of the game.

About 400,000 Ontarians are actively in search of family health care. We've made great progress since taking office, but ours is not a government that rests on past achievements. We know that there are many qualified, competent and safe international medical doctors who have chosen to come to Ontario and others who will follow. We know we need them. This legislation, if passed, will help us, it will help them and, more importantly, it will help Ontario's patients.

**The Speaker (Hon. Steve Peters):** Statements by ministries? Responses?

#### FOREIGN-TRAINED DOCTORS

**Mrs. Elizabeth Witmer:** What a disappointment. I think we can now acknowledge, as we did in question period this morning, that this government is devoid of taking any action whatsoever. What they have simply done here is tried to make it look like they're going to take steps to help foreign-trained doctors move forward into practice. This says nothing more than, "We are going to mandate that we're changing the responsibility of colleges in the province of Ontario, and if we don't get the right number of qualified health professionals, it's their fault"—a total abdication on the part of this government, just like they assumed no responsibility for the economic loss of jobs in this province or for C. difficile. It's unbelievable. So they say, "It is now up to you, colleges. We can't do what we said we would do."

There were a million people without a family doctor in 2003. There are still more than a million people without a family doctor today. In fact, I would also say to you that the number of communities that are designated as underserved has increased by 16%, from 122 to 142, and the number of people taking new patients has also decreased. We still continue to lose doctors in this province to other provinces—which never happened before; it shows you how bad things are under this Liberal government—and we're losing 30% of new medical school graduates within two years of their complete training.

Basically this government has said, "You know what? We have no plan for health care. We can't develop a human resources plan as we had said needs to happen." We need to take a look at our population, we need to take a look at what the needs will be, and we need to determine the appropriate number of health providers that are necessary. They've thrown up their hands and said, "We've had five years. We can't do it. I'm sorry; we can't do it. But do you know what? We're now going to



make the colleges responsible. It's their duty." In fact, I'll tell you that this legislation says nothing more than that: "It is the duty of the college now to make sure that people have access to adequate numbers of qualified, skilled and competent regulated health professionals." Talk about shirking your responsibility.

That goes back to Ms. Broten's report, and I would beg to differ with the minister. It is nothing but sheer rhetoric. There is very little in the way of any fact contained within her report. In fact, I would say to you that there are no factual recommendations to even support her recommendations. We don't know whom she consulted with. I wonder if she even talked to the colleges. It might be interesting to phone the colleges up and see if there's been any consultation with them regarding either Ms. Broten's report or this one sentence—I guess this is legislation—simply saying, "Folks, do you know what? We give up. We acknowledge that we can't provide for the people in this province the appropriate numbers of health professionals. In fact, we don't even know how many people are going to need a nurse or where they're going to need a nurse. We don't know how many people might need a chiropractor or a pharmacist. We give up."

It's like C. difficile last week and for the month before that: "It's not our problem. That's a problem of the hospitals." Other ministers in Quebec, Northern Ireland—and we're continuing to see examples around the world—have had health ministers who said: "This is a serious problem. I assume the responsibility. I'm going to put in place a co-ordinated plan in order that there are no further outbreaks of C. difficile in Ontario." Not this minister, not this government. They don't want to be accountable to people in the province of Ontario and they accept no responsibility for any problems.

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It is very disappointing that these individuals are in charge, because we're not going to see any improvements when it comes to the number of doctors or nurses. And if the improvements don't happen to work out, they will blame the colleges. First the hospitals, now the colleges: Who's next?

#### FOREIGN-TRAINED DOCTORS

**M<sup>me</sup> France Gélinas:** Access to effective primary care is a major issue for Ontario. There are roughly 850,000 Ontarians without a family physician; wait times in the average Ontario emergency room are over three hours and can be up to 7.5 hours; and we are short about 2,000 physicians and 9,000 nurses province-wide. This is simply unacceptable. Spending on health care is increasing every year, but somehow the lineups for care and the poor quality of care continue.

This bill is about making it easier for foreign-trained physicians to practise in Ontario. On the surface, it seems like something good, something we should support. I certainly have had the pleasure to work with many dedicated, competent, hard-working physicians, and I

know that Ontario needs more. The question, though, is this: Is this going to significantly improve access to quality primary care in Ontario, or is this simply chipping away at the edges? More importantly, is the supply of physicians the only problem?

As a headline in last weekend's Toronto Star stated, "Nursing Crisis Worse Than Ever: Huge Shortage Has Seen Overtime Hours Soar, Many Burning out or Fleeing the Profession."

Michael Rachlis, an expert in health care in Canada, was recently quoted as saying, "Even if the number of physicians doubled, unless we were to change the structure in which they work, Canadians would still have inadequate access." We're talking about doubling what we already have, something that this bill—

**Mr. Ted Arnott:** A point of order, Mr. Speaker. The Deputy Premier is making a number of objectionable comments. Would you ask him to—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock, please. I would just remind the Minister of Health and the member from Kitchener-Waterloo that if there's discussion that they want to have, there are chambers on either side. Please have the discussion there and not across the floor.

The member for Nickel Belt.

**M<sup>me</sup> France Gélinas:** As I was saying, even if the number of physicians in Ontario was to double, unless we change the structure in which they work, Ontarians would still have problems of access.

For example, the minister's much-lauded family health team, which he touted as being a model of interdisciplinary practice, in fact is overwhelmingly comprised of physicians as opposed to a balance with other health professionals. There are roughly eight physicians for every nurse practitioner; 18 physicians for every one dietitian. Basically, there are 72 dietitians in the whole system, which leaves at least 70-some family health teams with none. There are 366 physicians for every chiropodist, which means that we have all of four chiropodists working in family health teams right now. That's 146 family health teams with none at all—not much of a team there.

It is interesting to note that other provinces, such as Saskatchewan, have fewer doctors per capita, yet despite being less wealthy and more rural, people in Saskatchewan have better and more immediate access to care. The problem is how physicians and other health care professionals are deployed—or, should I say, not deployed.

Why isn't the government moving more quickly to increase the scope of practice and responsibility of other professionals such as nurses? Why isn't the government moving more quickly to replace fee-for-service payments with other forms of remuneration for physicians, such as salaries? The vast majority of physicians in Ontario are still paid by fee-for-service.

Let's discuss increases to the supply of physicians like this bill is trying to do, but let's not pretend that this alone will solve the problem of lack of access to health



care or radically improve the quality of care or ensure the financial sustainability of our health care system. It won't do this. If we are serious about improving quality of care and access to care and affordability of care, we need to radically increase the supply of other health care professionals: nurse practitioners, health promoters, community developers, social workers and midwives.

Why are we making such slow progress building new community health centres, an NDP innovation that provides the gold standard in primary health care? Why are we so far behind Quebec, which, for a long time, has had a comprehensive network of community health centres? There's no plan in Ontario to have a network of community health centres.

Why are we falling behind provinces such as Saskatchewan in implementing electronic health records, which can greatly improve efficiency of management, cutting wait times for access to physicians and other providers?

Why don't we have a high-level government committee assessing the health impacts of our social and economic strategies, like they do in Saskatchewan, so that you look at the determinants of health?

We look forward to discussing this bill, but we currently have doubts that it will do much to secure an accessible, high-quality, financially sustainable health care system in Ontario. Much more needs to be done.

## ORDERS OF THE DAY

### HIGHWAY TRAFFIC AMENDMENT ACT (SPEED-LIMITING SYSTEMS), 2008

#### LOI DE 2008 MODIFIANT LE CODE DE LA ROUTE (SYSTÈMES LIMITEURS DE VITESSE)

Mr. Bradley moved third reading of the following bill:

Bill 41, An Act to amend the Highway Traffic Act in relation to the use of speed-limiting systems in commercial motor vehicles / Projet de loi 41, Loi modifiant le Code de la route relativement à l'utilisation de systèmes limiteurs de vitesse dans les véhicules utilitaires.

**The Speaker (Hon. Steve Peters):** Mr. Bradley.

**Hon. James J. Bradley:** I rise in the House today to urge passage of an important piece of legislation that, if enacted, will help protect our environment and improve road safety. I'll be sharing the time I have to speak to you with my parliamentary assistant, Mike Brown, the member for Algoma-Manitoulin.

At the beginning, I want to commend the members of the Legislature who participated in the debate at second reading, and in particular, those who participated during the committee process: first of all, the hearings that were held; and secondly, the deliberations that took place in clause-by-clause study. I thought that all members of the committee offered some very thoughtful comments, and

some excellent amendments were offered. I was so very tempted to receive, accept and implement amendments; I had information provided to me that, in fact, the bill itself incorporated what the members actually wanted to do. But I want to thank them very much for their thoughts and for putting forward amendments. What it really means is that the members—particularly the opposition, in this case—have given considerable thought to this bill.

By the way, this is an important bill of this House. Whatever passes in this House is a bill that is the work of all members of the Legislative Assembly, particularly those who are working in committees. I want to give no suggestion to the House that this is anything other than a bill that all members can take credit for at the appropriate time. In fact, there are members who have offered some very good suggestions and who have engendered some excellent debate about the bill, because no piece of legislation is completely perfect. We really appreciated the suggestions that were made by all members of the committee and of the House.

As members would know, the proposed legislation will cap the speed of large trucks built after 1995 at 105 kilometres per hour. Ontario is a leader in road safety, and we're always looking for ways to make our highways even safer. This legislation presents us with a key opportunity to improve road safety for our families, while at the same time helping to protect our environment, so that our children and grandchildren can enjoy a cleaner and greener future. Cutting emissions from large trucks can only help our environment.

The reality is that over one third of Ontario's greenhouse gas emissions come from the transportation sector, and 84% of this comes from road transportation. This is why speed limiters are so important to all Ontarians, not only to those who share the road with large trucks.

1340

Speed-limiter technology will enable our government to make a significant contribution to the fight against climate change. We will work closely with the province of Quebec to harmonize our respective programs and our implementation. We need to move promptly if we are to reap the full environmental benefits of speed limiters. A Transport Canada study estimated that for every year that speed limiters are in place, we will be preventing about 280,000 tonnes of greenhouse gas emissions from being released into our air. That is nearly 800 tonnes a day. Our government takes climate change very seriously. We cannot stand by. We must take action now.

We're not the only jurisdiction to see the benefit of speed limiters. Quebec, for one, has been very supportive of mandating speed limiters and announced it as part of their green plan in June 2006. Ontario is committed to working with the province of Quebec and the trucking industry to establish reasonable and effective implementation timelines for speed limiters.

If passed, this legislation would also include an educational enforcement period to help get drivers, owner-operators and trucking companies prepared for full implementation.



I want you all to know that we have listened to the concerns of Ontarians, including members of the trucking industry, about speed limiters. Some individuals have wondered why speed limiters are necessary, why we are bothering to implement speed limiters when, by law, trucks should never be exceeding 100 kilometres per hour. Our response to that question is straightforward: Not only do speed limiters help our environment, but they are also an enforcement tool that will keep trucks travelling safely so that police can focus on other traffic-related priorities.

Others have expressed the concern that speed limiters will be prohibitively expensive for truckers. The reality is that most trucks built in the last decade already come equipped with this technology. This legislation would require that these devices be activated on Ontario roads. Activating a speed limiter costs about \$100.

Operators can save money. In a recent Transport Canada report it says that the Ontario trucking industry will save about 100 million litres of diesel and \$144 million annually. Also, it has been estimated that speed limiters will reduce the wear and tear on trucks, reducing maintenance costs.

This legislation is fair because it treats all truck drivers and companies the same while driving in Ontario. At the same time, it is flexible. With today's technology, operators will also have the option of investing in devices that will allow drivers to switch speed limiters on and off when in jurisdictions with higher speed limits.

Excessive speed is a factor in nearly 23% of crashes involving large vehicles. We anticipate that speed limiters will improve the situation by capping the top speed of large trucks.

The Ontario Trucking Association has stated that more than 50% of Ontario's trucks are already voluntarily using speed limiters, and recent studies tell us that about 75% of all US trucks are already operating with activated speed limiters. This shows that the vast majority of truck operators realize that these devices help improve a truck's fuel economy, reduce greenhouse gas emissions and lower maintenance costs.

The time to act is clearly now. Not only would we enjoy cleaner air, but limiting truck speeds would also make our highways safer for everyone who shares the road, all of which contributes to a higher quality of life for all Ontarians.

I know that all members of this House support measures that would protect the lives of Ontarians. The proposed legislation is exactly that kind of measure. This legislation, if passed, would help save lives. We are serious about improving our environment and we are committed to improving road safety.

**Mr. Michael A. Brown:** I rise in the House today to continue this discussion on important new legislation that, if passed, will help protect the environment and improve road safety for all Ontarians.

I'm sure that most of us have experienced a speeding truck on our highways. Not only can this be dangerous, but because of its excessive speed, the truck is also

burning excessive amounts of fuel. This government has heard public concerns about speeding trucks on our highways that pollute our environment and create unnecessary risk for others. The proposed legislation, if passed, would make the use of speed limiters on large trucks mandatory. This built-in electronic device would cap the speed of trucks at 105 kilometres per hour.

Today our government is building on five years of action with an ambitious plan to reduce the amount of emissions produced by our transportation industry. With speed limiters, we are proposing a new way for Ontario to achieve the goals set out in our Go Green action plan on climate change by cutting fossil fuel consumption and greenhouse gas emissions. Under this plan, our government has set out a number of achievable targets to reduce Ontario's greenhouse gas emissions: 6% below 1990 levels by 2014, 15% by the year 2020, and 80% below 1990 levels by the year 2050.

Our government already has a number of important initiatives underway to help us reach these goals: the green commercial vehicle project, a four-year, \$15-million pilot project to help businesses switch to cleaner technologies such as hybrid power; the high-occupancy-vehicle-lanes project, our long-term plan to encourage more people to carpool and to use public transit; and Move Ontario 2020, a \$17.5-billion plan to build more than 900 kilometres of rapid transit in the greater Toronto area and Hamilton.

If passed, speed limiters would save the trucking industry an estimated 100 million litres of diesel fuel annually. As Minister Bradley pointed out earlier, these fuel savings could reduce annual greenhouse gas emissions by about 280,000 tonnes annually. This is the equivalent of taking 2,700 trucks off the road each year. In terms of reaching our climate change goals, speed limiters alone could deliver between 1% and 3% of the total emission reductions needed to meet our 2014 target. We are definitely on the right track here.

Ontario's roads continue to rank among the safest in North America. In fact, according to our latest statistics, we have broken our own road safety record for three years running. Improving safety on our roads is a paramount concern of this government and it is a key objective of this legislation.

Studies show that speed has a direct relationship with the severity of injuries in a crash. Reducing the speed of a large truck will greatly reduce its impact in a collision. In fact, excessive speed is a factor in nearly 23% of all crashes involving large vehicles. We anticipate that speed limiters will help reduce collisions.

In putting forward this legislation, we have received support from a number of environmental protection and health advocates, such as the Lung Association and Pollution Probe; our many road safety partners, such as the Ontario Safety League and the Insurance Bureau of Canada; and finally from our industry stakeholders, such as the Ontario Trucking Association and the Canadian Trucking Association. I am also pleased to say that a number of small companies have stepped forward to



support speed limiters. In fact, some have told us that, as small companies, they are already seeing a reduction in operating costs.

1350

The American Trucking Association has also applauded speed limiters as an example of Ontario's leadership in road safety. As Minister Bradley noted earlier, about 75% of US trucks already use speed limiters. The majority of this industry realizes that the use of speed limiters would increase a truck's fuel economy, reduce greenhouse gas emissions and lower maintenance costs.

We are committed to continue working with our stakeholders and our colleagues in other jurisdictions as we move forward. The McGuinty government is serious about improving our environment, and we are committed to improving road safety. Let's tackle these issues together. Today the McGuinty government is asking for the support of our colleagues in this House to reap these environmental and safety benefits for Ontario families.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments? Further debate?

**Mr. Frank Klees:** Third reading of this bill, and we have, indeed, spent considerable time—

*Interjections.*

**The Acting Speaker (Ms. Andrea Horwath):** Order. That's fine. The member can continue.

**Mr. Frank Klees:** If the member would like to do questions and comments, I'm happy to give him that opportunity.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments time has passed. The member has the floor. Please continue.

**Mr. Frank Klees:** With regard to Bill 41, the minister referred to his willingness—in spirit, I suppose—to accept amendments. I had advised him that we would be proposing amendments, which we did during committee—a fair number of them. I felt that all of them were consistent with the reasoning of his government with regard to implementing speed limiters.

Right off the top, I proposed that if his government is basing its rationale on the safety issue, that by putting speed limiters into trucks and by limiting their speed we would improve road safety, then those speed limiters should be installed in all vehicles on the road. Something does not quite figure in the government's rationale, and I'm going to try to bring the public along as we go through this reasoning.

As the minister and the parliamentary assistant indicated, what Bill 41 will do is make it mandatory for all trucks to have a speed limiter—essentially a governor, as we would know it—that would limit the speed on all of those heavy trucks to 105 kilometres per hour. What is very interesting about that is that that speed limit is already five kilometres over the 100 kilometre-per-hour speed limit that we have on most of our major highways—certainly the 400 series of highways. If we have a speed limit of 100 kilometres per hour, and if, as the government argues, speed is a major factor in collisions, then my question to the minister would be: Why would

we not limit the speed of these trucks to 100 kilometres per hour, which is the speed limit?

The next question I have for the minister is: What about those roads where the speed limit is 80 kilometres per hour? Are we not concerned about safety on those roads, or on some of the city streets that we have, where the speed limit is even less than 80 kilometres per hour? Are we not concerned about that? The minister will argue that we will presume, of course, on the responsible driving habits of the truckers to stay within those speed limits, but we can't trust them on the 400 series of highways. That's where we have to put the speed limiters in place, and that's where government takes over in terms of mandating and making it a requirement to put in those speed limiters. What is interesting is that the vast majority of collisions involving trucks don't happen on the 400 series of highways; they actually happen on roads where the speed limit is below 90 kilometres per hour. Interesting.

So when you look at the government's rationale for this legislation, it sounds good. There isn't anyone in this House or anyone observing this debate who will argue that government shouldn't do whatever it can to improve road safety. There wasn't a member in the committee who challenged that. The point that I was trying to make, and that many members of our caucus have been trying to make with the government, is that if we are concerned about road safety, then let's look at the big picture and let's start with enforcing the speed limiters that we already have in place in this province, called speed limits. Let's enforce that. Let's get the message out, not only to trucking companies and truck drivers but to everyone who gets behind a wheel, that the government of Ontario is serious about road safety, that we will enforce our speed limits and that there will be consequences for people who ignore those speed limits.

That is where the problem lies. What the government is not prepared to do is to step up and ensure that our front-line police officers have the resources to enforce the law. The government is not willing to step up and ensure that our justice system is properly resourced, so that when a speeding ticket is issued, that ticket won't just be bargained away or thrown out because a justice of the peace is not available to hear that particular charge, which happens every day in this province. I get regular reports from Chief Armand LaBarge in York region. He sends me these reports because he wants me to be aware and the Legislature to be aware that we have a serious problem in our justice system, that his front-line officers are frustrated every day of the week by having to appear in court as witnesses, having to appear in court to justify laying charges on our roads and on our highways for Highway Traffic Act infractions.

They are there, the accused is there, but how often is there not a justice of the peace, not only to hear that case but for the entire sitting? All of these tickets get thrown out. So my appeal to the Minister of Transportation is that we should be focusing on enforcing the laws we have in place already before overlaying additional levels



of further legislation and further requirements that obviously won't get enforced either. None of them will, if we don't have the enforcement resources in place in this province.

That reasoning was ignored by the government, because it's a lot easier for the government to simply have another piece of legislation passed and have another announcement, as I know that the minister will after third reading is passed—and have another media event claiming yet another victory on the part of the McGuinty government for addressing this important issue of road safety. The media will come; they will print. People will read the headlines. Minister Bradley will be a hero, Dalton McGuinty will be seen to be doing something, and yet what they have not done is address the fundamental problem in this province: that we have laws that are not enforced and that are not prosecuted because we don't have the resources in place to do that. That's why I have serious concern about endorsing this legislation.

1400

I will say that there are members of our caucus who are supporting this legislation. I will not. I will not because of the reasons that I've just given. Furthermore, during our standing committee process, I presented what I considered were practical and pragmatic amendments that I believe would have made some improvement at least, given some rationale to various aspects of the legislation. The government heard every amendment, and not one single amendment was accepted by the government members on that committee.

It's interesting that in the 13 years I've been in this House, I have yet to see a perfect piece of legislation. That's why we have the process. We have first reading and second reading. Legislation then goes to committee for the purpose of having all parties consider it. We have research done, we make amendments to improve the legislation, and then it comes back to the House for third reading and final approval. At every step along the way in this particular case, the government felt that they had it right and perfect from the very beginning—and, by the way, so did one or two of the stakeholders who consulted with the ministry. Obviously, they were the one or two stakeholders whom the ministry heard. All of the other stakeholders who came forward—and we had many during committee hearings. We had many who submitted e-mails and many who participated in teleconference. And there were reports: I have three very substantive reports here that were submitted and referenced. Unfortunately, these were presented to me on the morning of our committee hearings. I didn't have an opportunity, and neither did any other member of that committee, to review these reports, and yet these are the very reports that should have allowed us to have some substantive debate on the issue. This made a mockery of that entire public hearing process. So we had a piece of legislation that was presented to us as a fait accompli, obviously, from the very beginning.

I had an e-mail from one of the stakeholders, who obviously had direct input into the minister's office.

When we sent out a request to stakeholders, which we do as a matter of course, to provide us with recommendations and suggestions in terms of amendments for the legislation from a stakeholder's perspective, I received an e-mail that, quite frankly, concerned me as a member of this Legislature and as a former minister. I shared this e-mail, by the way, with the current minister, because I felt that he should know. To his credit, I think the minister's reaction to this e-mail was identical to mine.

I'm going to read one aspect of this e-mail into the record, because, while it won't make me any friends with these stakeholders—I understand that—I want it to be a strong signal to anyone else who would dare to take us, in this Legislature, for granted and to hold in contempt the parliamentary process and the legislative process. I know that I won't be receiving an e-mail like this again, and neither will anyone in our research department. But I'd like to you listen to this, Speaker, because you will be interested, as will any other member of this Legislature, to know the arrogance with which some stakeholders approach this place:

"As for the amendments, we have none, and in fact I would go further and say that we would be very strongly opposed to any amendment. This is our bill. Every period, every comma, every semicolon was put there by us, and we would be very, very unhappy were it to be amended in any way."

Obviously, these stakeholders are very, very happy today, because their legislation has not, in fact, been amended in any way. "Every period, every comma, every semicolon" that was put there by them is still in place.

While it may be a victory for those stakeholders, I think it is frankly a condemnation of a system of law-making that most people in this province would think has legitimacy and where most members of this place would think they have a meaningful role to play. We've found out that that isn't necessarily the case.

Having said that, this legislation will obviously pass, and we will move into a time in this province when this requirement for heavy trucks to have speed limiters will be law. We'll see how that plays out.

You may say, "What is wrong with that? Why would anyone be opposed to that? If trucks are driving slower and are kept to even the 105 kilometres per hour that the minister says these settings will be at, doesn't it make sense that this will make for safer roads?"

I'm going to ask you just one question, and this is where the common-sense gap comes in when we have this debate: Has anyone observing this debate ever been in a situation on the road where they have actually had to accelerate to avoid a potential problem and a collision? If they have, I ask them: What would it have felt like to step on the accelerator to avoid that collision and there was nothing there? There was no additional power; you didn't have any additional speed to actually avoid that potential safety issue. Think about that.

When I asked that question in the course of the committee, there wasn't anyone who could give me an answer to it, and yet many made representations to the



committee, and through e-mails and phone calls, who are truck drivers and said to me: "This legislation will potentially create safety issues for that very reason." If there's no other reason to oppose this legislation, it would be for the safety factor that those who are on the roads every day are experiencing, and telling us from a practical standpoint that they need that flexibility.

1410

The government heard that as well and ignored it. So we move on. We heard all of the amendments that were put forward. They were voted down by the government without any qualms about whether or not there should be any changes to this legislation.

Finally I made one proposal, as an amendment as well, that if the government is intent on imposing this kind of restriction on truckers residing or doing business in the province of Ontario, they should at least exclude those truckers emanating from the United States of America. The reason was this: There are hundreds and thousands of trucks that come into Ontario every day out of the United States, doing business in Ontario or crossing through Ontario, who also made substantive submissions to the committee, saying that if this bill is adopted by the government of Ontario, they will stop doing business in Ontario because it will be impossible for them to be competitive in their several jurisdictions in the United States and then have this technology, which has to be hard-wired into their vehicles. There's no way that at the border they can trigger a release on that. If they did that, if there was that kind of mechanism built into the vehicle, it would mean, under this law, that they would be found guilty of breaking this law.

We already have notice that there will be a challenge, a NAFTA challenge, should this bill be or when it is implemented. We've had a number of occasions since the McGuinty government took office in Ontario where this chamber warned the government that the bill they are introducing and spending time manipulating through this legislative process would either have a charter challenge or would be challenged in one way or another by the courts. Of course, with the arrogance of the government, they ignore the pleadings of not only members of the Legislature but of officers of this assembly.

The most recent, you'll recall, was that of the adoption bill. We warned the government time and again that legislation implemented retroactively that would impact on the personal lives of citizens of this province on decisions they made 10, 20, 30 and 50 years ago was not going to stand up under constitutional and charter scrutiny. They ignored us. They ignored the privacy commissioner of this province. They've had to go back on that because the court ruled against them, and so they have had to revise that legislation to bring it into compliance with the charter. I'm predicting that that is precisely what will happen here as well, because there is a NAFTA challenge, and we'll see where that takes us. So the government ignored even that amendment. I was simply trying to save them some embarrassment.

At a time when the economy of our province is facing the challenges that it is, it may be one thing for the gov-

ernment to do nothing when it comes to tourism, to do nothing or make bad deals when it comes to our manufacturing sector, particularly the auto sector; it's yet another thing when the government takes a proactive position and introduces legislation that will hurt business in this province beyond where it is now. Incomprehensible. I just don't understand.

However, the minister will have his time before the cameras. I'm sure we will see him and his beaming face on the 6 o'clock news tonight, if it passes this afternoon, or tomorrow or the next day—whenever it passes. I'm sure that the stakeholders who wrote this e-mail will be applauding him and be at all of the minister's fundraisers. I can guarantee you: They won't show up to one of mine. Somehow we'll have to deal with that, I suppose.

So I rest my case. I will personally be voting against the legislation for the reasons that I have outlined, and many more that I tabled during second reading debate, particularly during our committee hearings. For anyone who's interested, all of those proceedings are recorded. We have the Hansard record of that discussion. There is a record there of the amendments that were put forward, all to no avail. But we did the best that we could. We attempted to help the government improve the legislation, and they said, "No, thank you."

I now say to the minister that when all is said and done, I'm hopeful that the intent that he has outlined in bringing this legislation forward will be realized. I'm hopeful that collisions will be reduced. I'm hopeful that the number of fatal collisions will be reduced significantly. I'm hopeful that it will do for the environment everything the minister has stated. But I have my serious doubts on the basis of information that was presented to us that was logical and that I believe made a great deal of common sense.

There are other things the government could have done. Enforcement is one of them. The other thing the government could have done is to rely on the private sector to manage its own business. At a time when gas prices are what they are, I can't imagine a single owner-operator or a single carrier that would not already have in place policies to restrict speed limits and to make sure that, if for no other reason but for economic benefit, speed limits are adhered to.

I will be interested over the next number of months and years to see where this legislation ends up, and I will be very interested to see how the minister responds to the practical implications that will emanate from this legislation.

**The Acting Speaker (Ms. Andrea Horwath):**  
Questions and comments?

**Mr. Norm Miller:** It's my pleasure to add comments on Bill 41, An Act to amend the Highway Traffic Act in relation to the use of speed-limiting systems, and on the speech made by the member from Newmarket-Aurora, who is, of course, a former Minister of Transportation.

I think he brings up some excellent points to do with this bill that we're now discussing in third reading. The most disturbing is that he has these large and significant



reports on the issue which he states were not duly considered in the process of looking at the bill, and the fact that he, as the PC representative, put some significant amendments forward and none were passed. This government has talked about democratic reform, but when it comes right down to it, we don't seem to see much evidence of that on the ground. We seem to have a flawed process that has taken its course with this bill, and I think that's unfortunate. I think he brings up an excellent point: that we need to enforce the speed limits we already have.

1420

Just try driving at 80 kilometres an hour on a secondary highway, which I did on the weekend. I was out motorcycling on Sunday with three or four other folks. We were going exactly 80 kilometres an hour, and I have to say that I had a car about two feet behind me, almost running over me, because very few people actually drive at the speed limit. That says to me that either we have the wrong speed limits or we don't enforce them. So there seems to be a real problem there.

I've heard from a lot of independents on this bill. I asked them, "What's the real agenda, if you're giving me these arguments that it's not necessarily making highways safer"—particularly in the north, where there are two-lane highways and the trucks have to pass sometimes. They said that they thought the real agenda of this bill was about trying to control rogue drivers in large companies.

I think it's unfortunate that we haven't had a fulsome process here where the amendments could be duly considered. Those significant reports should be significantly considered for this bill.

**Mr. Michael A. Brown:** I just wanted to help my friend who asked a question about why we don't permit trucks to go faster than 105 if they need to increase their speed to avoid a collision. That is a reasonable and good question, and I will help my friend. The reason is, trucks really can't do that. I am told that for a large truck like the ones we are talking about to increase its speed by five kilometres an hour, it takes 76 seconds. These are not Maseratis; these are large commercial vehicles. So the idea that a large commercial vehicle can increase its speed to avoid a collision is really not technically possible.

I want to also assure the member that we, on this side, oppose speeding, whether it's by Americans, Canadians or Ontarians. To advocate that American trucks should have the right to break Ontario laws because they're American trucks is a rather odd position, I think, for the official opposition to take.

I want to tell the member that we, on this side, are in favour of saving 280,000 tonnes of greenhouse gases. We are in favour of those truckers who tell us this is the right speed to deliver our goods safely, efficiently and at a reasonable cost. And that's what we're going to do.

**Mr. Gilles Bisson:** I was going to wait until my speech—because I'm going to have an hour leadoff in a few minutes—but again, to the parliamentary assistant,

we had this debate in committee. The parliamentary assistant saying that the government is going to save 280,000 tonnes of emissions is completely inaccurate.

Let's look at what this bill really does. About 60% of trucks on the highway now are currently using speed limiters and are being limited to 105 kilometres. So 60% of the fleet is already meeting the numbers that the government is talking about, when it's 105 kilometres. Of the other 40%—and I'm just rounding out the numbers; I might be a little bit out—that are not on speed limiters, there's this thing called "the speed limiter," and my good friend the member from Welland will know well what I talk about; it's called fuel prices. Most of the trucks are already slowing down as it is, so the government can't get up in this House and say, "We're going to save 280,000 tonnes of emissions in the atmosphere," because it doesn't do that.

Part of the problem that I have with this bill is that if the government were saying, "We have a green plan and we have a comprehensive strategy by which to reduce emissions in the atmosphere, and we're going to do not only things when it comes to vehicles but when it comes to how vehicles are constructed, not just speed"—if we were to look at emissions from factories, if we were to look at what's happening with coal-fired plants in this province, and we were putting it into a green plan, then I would understand the logic to this. But that's not what this is. This is a one-off bill that the government is trying to wrap up as a green thing. I'm saying that this is not anywhere as green as the government makes it out to be. Let's be clear: This bill, in the end, when we say 280,000 tonnes, ain't going to come anywhere near that, because most of the industry is already compliant with 105 kilometres, either by way of governors on their trucks, speed limiters, or by way of the fuel prices, having to slow down the speed.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments? The member for Newmarket—Aurora for a response.

**Mr. Frank Klees:** The comments of the parliamentary assistant with regard to supporting speeding by American trucks is absolute nonsense, and he knows it. In fact, if he and his government were serious about enforcing speed limits, they would do so in the province today. No one supports speeding. I spent my entire remarks here to talk about the importance of ensuring that there is enforcement of our speed limits, be those American trucks or Ontario trucks.

What I am saying is that what we should be doing is passing legislation in this place that is actually based on common sense and that is not simply a political tool for the government to pound its own chest about what they're doing for the environment. I think that Joanne Ritchie said it best: "What puzzles me is why government would consider forcing a solution on this industry when it's clear the problem lies elsewhere." She is OBAC's executive director, and says this:

"Many carriers have speed management programs—including governed engines. And owner-operators can ill



afford to speed. Trucks are already slowing down for safety and economic reasons, and unless government starts enforcing existing laws to get reckless drivers off the road, they're shirking their responsibility and actually increasing the risk of crashes on our highways."

To the government's attention I bring stakeholders whom, they obviously didn't listen to. As will be proven, this is a foil that is being used by the government to say one thing that will be believed by the vast public because they are communicating it effectively. It doesn't make it right; it doesn't legitimize this legislation. That is the point that I was trying to make with you.

**The Acting Speaker (Ms. Andrea Horwath):** Further debate?

**Mr. Gilles Bisson:** As I was saying earlier in questions and comments, I'm going to be sharing my lead with a few members of our caucus. I would ask for unanimous consent to share my lead with the member from Welland and the member from Trinity-Spadina. Done.

**The Acting Speaker (Ms. Andrea Horwath):** It's not needed.

**Mr. Gilles Bisson:** I know. I'm just putting it on the record, Madam Speaker, but I thank you for that direction because you're right: It wasn't a UC. I should have known better after having been here for so many years.

There are about three parts to the debate that I want to get into when it comes to this legislation. First of all, there's the environmental side of this bill, the effects it will have on the environment. I also want to talk about the practicality of this legislation and what it means to many people in the trucking industry vis-à-vis their livelihood and what happens in the real world—not in the world that we live in here where we draw up laws and we think that, oh God, we understand everything because we're smart legislators—the people at the end who are going to have to live with this legislation and what it means to them.

Let me first say that I've heard the minister and the parliamentary assistant. They stand and talk about this bill, and they say, "Oh, this bill is a great green bill; this bill is going to do wonders; it's going to bring greenness to the province of Ontario." You can hear them. It's almost as if they're preaching the Bible and they're just bringing the message on. If this really was a bill that would bring us to a point of being able to really reduce emissions when it comes to greenhouse gas and it was in that way, I probably would have an easier time trying to support it.

But part of the reality is—let's not kid ourselves—that this bill is not going to have the effect that the government says it's going to have when it comes to the reduction of greenhouse gases. Let me make the argument: The government says that if we bring all the trucks on the highway from the current speeds they're driving down to 105 kilometres an hour—because by speed limiters they will be forced to do 105 kilometres—we're going to save 280,000 tonnes of emissions into the atmosphere. That's the claim. Nothing could be further from the truth. For

that to happen, you would have to accept the argument that all the trucks now, on average, are doing over 105 kilometres, and you know that's not the case. You drive the QEW from Hamilton to Toronto on a regular basis, I drive the Highway 11/17 area in northern Ontario, and we interact with trucks on a regular basis, and let me tell you what it is: Since gas prices have gone up, or fuel prices for trucks, I can tell you that there's a noticeable difference in speeds on the highways across this province.

1430

I used to get on Highway 11, as would everybody else, and drive from one community to the other, and it was common for trucks to be doing 115, 120 kilometres. I understand that; you would see that. But you hardly see a truck doing that these days, for a couple of reasons. One is that fuel prices have slowed the truck traffic down as well as it has slowed down the average car on the road. Don't believe me. Go talk to Cam Woolley. We all know Cam Woolley, from the Ontario Provincial Police. He's on radio and TV probably more than most of us around this place. Cam Woolley was very clear that the OPP are noticing, by way of the charges they're laying, that there are fewer speeders on our highways today because people are saying, "Never mind the risk of being caught"—and I'm going to talk about that later—"it is too expensive to run my vehicle at a higher speed." If you're driving a Mack truck, an 18-wheeler, down the road at a speed of, let's say, 115 rather than 105, it's going to cost you more fuel. Truckers are smart businesspeople. Do you think that running a truck doesn't take a whole bunch of skill sets? It's not just a question of being able to drive the truck; it's also a question of being able to make money. To do that, you have to understand the nature of the business. Therefore, most of the trucks now have slowed down just because of gas and fuel prices. Again, don't believe me.

Non, ne croyez pas Gilles Bisson, le député de Timmins-Baie James. Allez parler à la police provinciale et vous allez voir que la police provinciale elle-même est en train de nous dire clairement que la réduction de la vitesse sur les chemins de la province de l'Ontario est quelque chose qu'on peut voir aujourd'hui.

The second reason that I think this claim the government makes in regard to greenhouse gases is a bogus one is that most trucks are using speed limiters now. The industry didn't need to have a law brought into the province of Ontario to put speed limiters in trucks. Most of the large companies out there have decided to do it themselves, and they did it for their own reasons: First, they wanted their drivers to drive within the speed limits because of what it meant for the CVORs. If you have a good, clean CVOR as a company, you're allowed to continue operating, but if you get a bad CVOR and speeding comes into play in that—if your trucks are constantly being charged for speeding violations—your CVOR becomes that much worse. So industry, the larger companies and even some of the small independents, have already put speed limiters in their trucks, by and large,



and a large part of the fleet that drives the highways of Ontario is already using speed limiters by way of voluntarily introducing them into their trucks.

My point is that if the government says that 280,000 tonnes of emissions into the atmosphere will be achieved as a result of the legislation, I say to the government, "Hogwash; not anywhere near there," as most trucks are already at the speed limit because the majority of trucks, especially in large companies, are using speed limiters now. They're down to 105, and those others are slowing down because of the price of fuel. Don't come in here and say, "Oh, Lord, I've got a green plan and I'm going to save the atmosphere of the province of Ontario, and we Liberals will wrap ourselves up in a green flag," because that's not what this bill is doing. This bill is an attempt by the government to say, "Look at how green we are." At the end of the day, am I going to say that there will be no savings of emissions? Of course there will be some. I'm not going to pretend there won't be any. But it is not anywhere near the numbers the government is quoting. I would have liked to see it.

Our critic, Peter Tabuns, and my leader, Howard Hampton, have been very clear on this point. They are saying that the government should bring forward a green plan that encourages a plan across ministries that says how we're going to reduce emissions in the atmosphere, and you do that in a number of ways. If the government were to come in and put together a plan that says, "We are going to look at emissions, not only by way of speed on trucks, but we're going to look at the construction of vehicles when it comes to what emissions are allowed in the first place by way of technology that we can install on cars, trucks and other vehicles that are on the road," that would be one thing. If we were looking at emissions from factories across Ontario that are spewing emissions into the atmosphere and saying, "We will do something to encourage them to make the necessary investments in order to reduce the amount of greenhouse gas that's going into the atmosphere," that would be something. And if we were to say, "Rather than having a bunch of cars on our freeways driving to and from Hamilton and everywhere else, why don't we look at mass transit as a way of moving people out of their cars and putting them on intercity rail, so that people were able to move by mass transit and save emissions that are going into the atmosphere?"—if the government was doing that and a whole bunch of other things, the coal plants and others, then I would say, "Ah, the government's got a plan. A little bit here, a little bit there, pull it all together, and it comes to a big number."

But the government has no such plan. It comes in here and says, "We've got speed limiters. We're going to make the atmosphere green." Come on. Give me a break. They're not going to make the atmosphere green by way of the speed-limiters legislation. The reality is, most trucks are already doing a speed of 105, either because they're into speed limiters already or they're into saving money because of the price of fuel.

The other issue I want to talk about is what this is going to do from the perspective of safety. We heard a lot

of people who came to committee to talk to us about what this bill can and will do for the safety of our highways. One of the things we heard a lot about is that people said, "Listen, if you put speed limiters on trucks, what you're going to have, you're already seeing it." We got a lot of e-mails on, from people who live along the 401 from Windsor all the way out to Cornwall. I got probably about 40 e-mails, letters or phone calls that came in on this issue alone from people who live on that corridor. They said, "Listen: Many sections of the 401 are two lanes: two lanes in one direction, two lanes in the other." They're already seeing it, because a lot of trucks already have speed limiters on them now. What happens is, one truck tries to pass a second truck on the two-lane freeway, and because they can only do 105 kilometres an hour, they're doing what is termed "elephant racing"—two big trucks trying to pass each other and neither one of them has sufficient speed to overtake the other. So they end up blocking the lane for a longer period of time on those two-lane freeways. We see that on Highway 11 from Orillia all the way up to the spots where we still have four-lane highways—as Monique Smith would know, my good friend from Nipissing—up to North Bay. We see that already. It's more of an occurrence now than it was in the past, where trucks on the freeways are trying to get by a person doing 103 kilometres, and a guy who can do 105 kilometres is trying to overtake—or the woman; it could be a woman or a man driving the truck, obviously—and they're not able to pass each other in sufficient time.

What does that cause? It causes road rage. You have people who are behind these vehicles who are getting fed up, and they're cutting and taking chances in order to bypass these trucks because they're in a hurry to get from point A to point B. It could cause fatal accidents.

Let me give you a good example. You're driving from North Bay, let's say, and you want to go visit my friend Charlie Angus in Cobalt. You say, "Charlie and Brit are making supper tonight, and Charlie's going to be taking out the guitar. I'd love to get down there and sing some songs with him and have a great home-cooked meal with Brit and the kids." You get in the car, you get on the highway in North Bay and you start to drive up—

*Interjection.*

**Mr. Gilles Bisson:** My good friend Monique Smith probably had supper with me the night before, I would imagine, right?

Anyway, here's the story—and the member from Nipissing will know this. You get inside the car at North Bay and you start to drive up the highway. How many passing lanes are there between North Bay and Cobalt? You can count them on your hand: There are probably around five passing lanes between those particular areas, right? So what you end up with is that there are very few places where people are able to pass trucks on Highway 11 as you're driving north or south between those two municipalities.

So here I am: I'm in a hurry, I'm driving my car, I'm doing 103 or 100—just chugging along, playing the



tunes. I've got the satellite radio on the 1960s tunes, and I'm just moving along and singing to Bob Dylan, doing what you do best when you drive. All of a sudden, you come upon a truck. This truck is going slow, and you say, "Well, I can't pass over here because there's a curve. I can't pass over there because there's a car coming. I can't pass over here because there's a hill and I'm not sure of the road. Oh, it says, 'Passing lane in two kilometres.'" So now you've got the tunes cranked up even higher, and on comes Paul Simon, and he's singing a song and you're just moving along. You're chugging along to the traffic.

*Interjection.*

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**Mr. Gilles Bisson:** If you're lucky, yeah, it would be my other friend with the—anyway, I'm not going to go there.

Anyway, you get to the passing lane and you want to overtake the truck. And what do you see but a truck in front of you trying to pull in front of the truck in front of him. So you end up in a situation where those two trucks are trying to pass each other and by the time the passing lane comes to an end, what do you think happens? You're still in the car listening to Sirius radio, and now you're back to Bob Dylan again, listening to tunes as you're going up Highway 11. So now I say, "To heck with the radio," and I'm turning off the radio; I've got to listen to the wind to see if I can get by this truck.

People are taking chances. I see it on Highway 11 in the area that I service, from Timmins up to Constance Lake. People are now passing in some pretty dangerous spots. They think they know the highway because they've driven it 100 times before and they're passing where they think they have enough room to do so. The passing lanes are being filled by trucks trying to pass each other. Why? Because they are using speed limiters. We heard this from a professor in Manitoba who said that this can actually lead to more unsafe roads.

On the safety aspect, I just say to the government across the way: Don't come into this debate and tell me that this is a green plan, and don't tell me that, at the end of the day, this is all about road safety. We've heard from tons of expert witnesses who came before the committee and said to us: "This is not what the government makes it out to be." So I'll just say to the government to be careful on that point.

I want to talk about what I thought was one of the major problems with this bill that we somewhat fixed at committee, and not even by way of an amendment. This is the interesting part—and I know that my colleagues here who are speaking after me want to talk to this. One of the things that we heard the most is people from the trucking industry saying: "Okay, fine. We'll put speed limiters in our truck, but I don't just do business in Ontario. I may have my truck and drive from Barrie to Toronto and pick up another load and go off to Windsor. Then, from Windsor I may truck something down to Pennsylvania or Michigan," or wherever they might be driving.

The problem is, once you cross the border there are different speed limits. So the speed limiter is installed,

and the way the legislation is written—pay attention. It says that you shall not have a device onboard the truck that allows you to fail the speed limiting system. In other words, you can't bypass the speed limiter. You can't have a switch, a device or a gizmo of some type in your truck—do you like that word, "gizmo"?

**Mr. Rosario Marchese:** Gizmo?

**Mr. Gilles Bisson:** "Gizmo" is a good word. I take it that it's parliamentary, so I'm going to use it.

You can't have a gizmo in your truck in order to bypass and to fail the speed limiting device—very clear. The legislation says that if one is found in your truck, the enforcement officer—either the police officer or the person from MTO—will seize that device out of your truck and you shall be fined.

So we went to committee and said, "Listen: If you're going to have speed limiters in Ontario, you have to have a mechanism by which you can turn the speed limiter off when you leave the Ontario jurisdiction and go into a jurisdiction where the speeds are higher."

For example, you will know that the reason speeds are posted on highways has to do with the condition of the road. If you are driving, for example, up in the riding of my good friend the member from Nickel Belt, France Gélinas, you don't want to drive very fast on the Sultan Road. If you're driving from Chapleau down to Thessalon, again, you don't want to drive very fast on that road; it's very wavy. So the MTO posts fairly slow speeds on that road; the top speed is about 80 kilometres. In some areas, it's down to 60. But when you drive from Toronto to Hamilton, it's a straighter freeway. The speed limit is what, 100? It's 100 kilometres an hour. In other areas, we have speed limits that are even higher, because we found that higher speeds on properly constructed highways aren't necessarily unsafe.

You have areas in the United States where the speed limits are 120 kilometres an hour. So what do you do if you're a trucker and you have a truck that has a speed limiting device on it and you do business in the United States? You're now at a competitive disadvantage with your competitors, travelling into the United States with your load.

A lot of independent truckers came to us and told us about that. They said, "This is really unfair. This is about giving the big companies yet another hand up." I hated when Brian Mulroney used to say that. He used to talk about giving people—no, it was Mike Harris who said "Hand up." Mulroney was another quote. "I'm going to give them a hand up." Here's this government saying to the big companies, "We're going to give you a hand up. We're going to put speed limiters in everybody's trucks and we're going to help the big guys, and the little guys are going to get it in the ear."

The law says that you can't have anything to fail a device that is a speed limiter. So we go off to committee. My opposition colleague, the member from whatever riding, Mr. Klees, the Conservative critic for transportation, said that he had an amendment in order to deal with the issue of speed limiters exiting Ontario. The



government said, "No, we can't support that legislation. That would be a bad amendment." So I called on the expert witnesses who were there at committee and who worked for the Ministry of Transportation. Do you know what they said? "Oh no, no. You can have a computer in your truck. You can buy a laptop that you plug into a device, into a hard-wire harness that's underneath in the seat, and you can have that in your truck as a way of turning off the speed limiter when you leave the province of Ontario." Or you can buy the Q400, I think they called it, which is another device that you install in your truck, and it allows you to turn off the speed limiter when you leave the province of Ontario. Or even better still, you can have this GPS technology, where the fleet of trucks, once it leaves the geographic boundaries of Ontario, automatically has the speed limiters turned off.

I thought that was rather interesting because the legislation says, "You shall not have and you shall be charged if a speed-limiting device in your truck is found that can limit the speed on that truck." I was in a bit of a quandary, so I asked a number of questions. I said, "The OPP pulls over Ralph the trucker, and Ralph's got one of these \$3,000 laptops on board, and the laptop is closed and turned off. Are you going to charge him?" "No, we're not going to charge him." That's good news, I thought to myself. But the officer could still charge him, because the legislation says that he or she can. So we're in this sort of grey area, where the government, by way of answers in the committee, tried to accommodate some of the concerns we were raising in the opposition and the public were raising when they came before us and introduced this concern before the committee. But we're in a grey area because the law says that the person will be charged, but the ministry says, "Don't worry. We're just not going to enforce that."

I just said to myself, this is—

**Mr. Michael A. Brown:** That's not what they said.

**Mr. Gilles Bisson:** That's exactly what they said. They said that if they found a Q400 or a GPS device or a laptop in the truck that was turned off, passive and had not deactivated the truck, they would not charge that person for possessing a device under the act, even though the act says that the person has to be charged. We tried to get an amendment to clarify that, that said, "If driving your truck in Ontario"—at the very least, just make it for Ontario. The government wouldn't accept that. So we're in this sort of a grey area that says that you can't have it, but if you have it, the ministry says, "We won't charge you." Time will tell. But in committee, I got it on the record, and I want people to utilize this in their defence when they go to court because you can, as my friend Mr. Kormos would know far better than me. The issue of what was said in committee and what was said in legislation and what was intended—I want to make it clear: The government has said that they will not charge people who have speed limiting-devices in their trucks so long as they're turned off. Clear enough. I saw that and I guess it's a little bit of a victory, but I still think it's a bit of a strange situation.

The last point I want to make, because I know my other two colleagues are biting at the bit to get into this debate: Ce sont des députés qui sont dévoués et qui veulent participer dans ce débat et veulent être capables d'ajouter au débat sur les points qui sont importants pour le monde qu'ils représentent. Je sais que tous les autres députés de l'Assemblée veulent faire de même. Ils sont ici aujourd'hui et ils sont engagés. Regardez-les. Ils sont engagés dans le débat. Ils sont ici et ils écoutent chaque mot. Regardez la foule; on n'a—personne. Mon Dieu, il n'y a personne ici l'après-midi. Qu'est-ce qui se passe? C'est le nouveau Règlement de la chambre. J'ai oublié.

I was saying, if you didn't get the translation fast enough, that I'm in here and I'm engaging members of the assembly in this debate, and I know that they all want to participate. I was commenting on all the masses of people in the galleries, and thank God we have television because there's nobody up there. These new rules have really, I think, been an absurd thing when it comes to the public's ability to participate here.

The point that I want to make is this: I said at the beginning of this debate that I would vote for this legislation at second reading because I thought that in principle, it's not a bad idea; it's something that's worth exploring. I believe that as a legislator, you shouldn't shoot an idea down just because you have a bit of a problem with it. So I said, "Let's allow this thing to go to second reading. We'll give this bill conditional support and send it to committee and hear what people have to say, and see if the government is prepared to respond to the concerns that were raised by those affected who came to committee."

This bill had short-shrift time in committee, and I take responsibility for that as a member of the subcommittee. I'm not going to throw stones at the Conservatives or the Liberals. I should have insisted that this bill be in committee for a longer period of time—not that it would help, because the government decided what they wanted to do, and I'm but one member. They have the majority here, and a government, at the end of the day, decides what's going to happen.

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What is clear to me is that those people who came before us—I've got to say that the one issue this spring that I got the most mail, e-mail and phone calls on, as critic, was this speed-limiting legislation. I've had other bills in the House. It is very clear that there is a very strong constituency opposed to this bill. I believe, as a member of the assembly and as a critic for the New Democratic Party, that if this bill was really doing something to green the environment, I would vote for it, because that's clearly something that would be worth supporting. But from what I've seen from the witnesses who came before us and from the e-mails and phone calls I've had from people on this particular issue, this is not going to green the province of Ontario. It's not going to reduce the greenhouse gases that people say it's going to do. So there's a very minimal effect when it comes to the green part of what this bill does.



On the other side, the bill is clearly opposed by a number of people within the industry, and in all conscience, I can't support the bill on the basis of that. I find that sad, though. I think we should have taken more time at committee to at least try to fix this bill to make it do what it needed to do, and I probably would have been okay to support it at that point. But clearly, the bill is not supported by many people in the industry. It does not do what it intends to do in regard to road safety or when it comes to greenhouse gases.

For that reason, I—jeez, I've got 14 hours and 51 minutes to go. This is pretty good.

**Interjection:** More time, more time.

**Mr. Gilles Bisson:** Wow, more time. I can filibuster.

There we go. It came back. All of a sudden, I thought, "Do I have to go 14 hours and 51 minutes?" I can't do that; that would be unfair.

Comme je dis, j'ai d'autres collègues qui veulent parler, donc à ce point-ci on va donner la chance à l'un des deux qui veulent parler sur ce projet de loi. Merci.

**Mr. Rosario Marchese:** I want to welcome the citizens of Ontario to this political forum. We're on live; it's 10 to 3. I know how excited you are, with the popcorn in one hand and the wine in the other, to tune in on these political debates.

I wanted to take this opportunity and present a different view from my colleague's. I want to do that because I think there are different views among like-minded people as well. While my friend from Timmins—James Bay raises important points, which I'll speak to—and they're valid in terms of why he would oppose it—I'm going to take a different tack on the bill.

The Liberals, generally speaking, do very little with respect to any particular bill. They take little, picayune kinds of efforts and make them sound huge and revolutionary. This is one of those bills that is hardly historic, hardly revolutionary and hardly at the top of the list in terms of how it greens our environment. It's a small, little measure. It's as small as, not the tax rebate, but the little environmental initiative by the Liberal government of which they're very proud; that is, you pay no PST on a bicycle if it's under \$1,000. That's as good as it gets with this government.

These are the little initiatives that become big with the Liberals, and the point is, they're not big. It's so hard to attack them, because they don't do much one way or the other. That is why, on the whole, it's usually good to make fun of what Liberals do, as I am with this bill. While I'm going to support this bill, it's usually a lot of good fun to attack the Liberals, because they don't do much of anything, and this is another example of a bill that doesn't do much. As my friend from Timmins—James Bay says, "If you want to look at initiatives in terms of how we green the environment, this isn't it."

My friend and colleague makes the point that the government makes the claim that 280,000 tonnes of emissions are taken out of the air because of this initiative. That would be true if all cars were driving at 120 kilometres an hour or beyond. But, as he pointed out, they're

not; 60% of trucks already have controls that keep them at a certain speed limit. Therefore, the saving that the government speaks about is already diminished by 60%.

*Interjection.*

**Mr. Rosario Marchese:** Okay. So some greenhouse gases are diminished as a result of this initiative, but it's not as big, Mr. Brown, as you claim or your government claims. It's not a bad initiative, however tiny it is, but it's not as big as you claim.

For me, it's an issue that, yes, it helps, but one could wish that they would be bolder then or as bold as some of the provinces like Quebec or other countries, and take initiatives that one could be proud of.

**Mr. Michael A. Brown:** They're doing this.

**Mr. Rosario Marchese:** Who's doing this?

**Mr. Michael A. Brown:** Quebec.

**Mr. Rosario Marchese:** Of course: Quebec is doing it, has done it. But Quebec leads by integrating speed-limiter legislation into a comprehensive climate change plan, which Liberals are not capable of. They're not capable of bringing in a plan. The only thing Mr. Brown is capable of, along with his colleagues, is bringing in little initiatives and then saying, "But we're doing what Quebec does," making the claim that it's the same. Mr. Brown, it isn't the same. When you have the comprehensive plan that's presented in Quebec versus your little, tiny initiative, it's not the same. That is the difference. You can say all you want, and you will and you do, but it's not quite the same, and you know it.

I am a driver myself, and this is where I take a different view from some of my colleagues. I find that a lot of truck drivers speed on a regular basis. I have to admit that I'm intimidated by the big truck drivers driving at 120 K or more. Mr. Kormos is a powerful man. He's not intimidated at all. He kind of likes it. He drives there on the highway, and he just enjoys it. These trucks whiz by, and he's not unhappy with that. He's a big guy; he can take it. Me, I'm just a little guy. When I see these truckers coming by at that speed, quite frankly, I'm that afraid. I wish I were as semi-divine as Mr. Kormos, but he's a little more semi-divine than I am, and he's not as frightened as me. Me, I'm frightened. They're very big, and when they speed, they're bigger than me and my little car.

I know we're going to have the benefit of Mr. Kormos's views on this matter, and he's going to tell us how differently he feels about this, and then you get the benefit, good people of Ontario, of different points of view on the matter. But for me, limiting the speed of truckers is not a bad thing. Most of them drive too fast for my liking. I believe that a lot of drivers feel the same way as I do, and finding a way to make sure that they drive at lower speeds versus 120 or 130 is, in my view, a very positive initiative.

So even though I'm not excited about this bill, it really is hard for me to oppose it. When you have the Canada Safety Council saying that it's not a bad idea and the Ontario Trucking Association saying that this is not a bad idea—and, as far as I could tell, the Teamsters didn't



organize a whole lot of deputations in committee, and maybe they did and I didn't see it, but as far as I know, the Teamsters didn't bring in a whole lot of people to oppose it. Yes, there are independent truck drivers who oppose this.

Here's where I think we need to do some work. Why is it that a lot of truck drivers speed? They speed because they're paid by the hour in some cases, and in order to get to their destination, they've got to get there on time, and in order to make the money you want to make, you have to get there fast. I don't think this is good. From a safety point of view, I don't think it's good. I don't believe speeding is that good, especially when you are 10 times bigger than I am, and by "me," I'm talking about my car. I believe that whatever we can do to slow them down is a good thing. If they have to speed because they're on the clock and because they're trying to make a few extra dollars, then I think we need to address that. We're not addressing that; none of us are talking about how we can.

1500

A lot of independents leave a lot of these truck companies. Why? Because they're not paid well and the benefits are poor. But you don't hear the government talking about how we might help by way of arguments. I don't think legislation, obviously, is the way to deal with that, but we should and could be talking about how we should be making arguments to assist many of the truckers who work for companies and who are not well paid and don't have good benefits, and why they're paid by the trip and not the hour, and why, if you're paid by the hour, you have to get there fast. Why aren't we dealing with the fact that many of these people are not enjoying the benefits that they should have and not being paid adequately to be able to drive safely and slower? Yes, it saves money for the trucking industry. It's good for the environment and it's good for the driver. We could all be doing that. They would be driving not so fast if they could be guaranteed a decent wage and decent benefits. That, in my view, is what we should be talking about, and we're not.

If we solved that particular issue, then a lot of the independent truckers would probably still be employed by the trucking companies and not be on their own. They often can't afford not to speed to get to the next destination. Driving a truck is expensive. Every repair you have to do for your truck is an expensive repair. They need the money, and that's why I put to you, as lawyers say, that they have to drive fast. That's why they drive fast. I believe driving fast is a dangerous thing, both for car drivers and truck drivers. It is a very dangerous thing.

By the way, when the government says, "We want to keep it to a limit of 105," even 105 is above the current speed limits everywhere in Ontario. That's still fast. But no, it's not good enough for some; for some, it's just not good enough. For me, 105, which is beyond the law on the speed limits, is fast. I know that those who are more muscular than I am, both in mind and body, don't think it's a bad thing. But I think reducing the speed of truck drivers is a good thing.

There are people here who haven't used the example of Australia, but Australia has had this law for 20 years. I don't know why Liberals don't use that argument, but you should, because in the example of Australia, which is the first country that considered it, the speed limiters have been the law for both trucks and buses since 1990. They set it at 100 kilometres. What's their experience?

"Have the Aussies, after almost 20 years of speed limiters, found that to be" a problem? "Here's what Chris Brooks, senior adviser, road safety, Australian Transport Safety Bureau," said:

"There is no good evidence that a 10-kilometre differential between light vehicle and truck speed limits creates a safety problem. If there is any such problem at all, it is small compared to the safety benefits of running trucks at 100 km/h rather than 110 km/h."

"Speed limiters place everyone on a level playing field and shippers and carriers can't push drivers to drive too fast to meet a schedule."

I'm also conscious of the fact that when people say, "What happens when you're stuck behind lumbering behemoths, particularly on country and regional roads?" Well, the Australian experience tells us a different thing. He says that "overtaking-related crashes on rural roads are surprisingly uncommon.... It may be that on two-lane roads with a general speed limit of 110 kilometres per hour, the presence of speed-limited trucks tends to constrain light vehicle speeds. If so, there may well be a substantial net safety benefit that would be lost if trucks were permitted to travel faster."

In other words, rather than causing more accidents, speed-limited trucks are causing other traffic to slow down and thus reducing the likelihood of accidents.

So I'm ready to support this bill. I'm ready to support it today. I argue again that it's hardly a revolutionary bill. It's a picayune little initiative, like the no-PST tax savings you get for getting your bike. But to the extent that it's an initiative that might help rather than not help vis-à-vis emissions and vis-à-vis safety, I'm going to argue on the whole safety issue and be on the side of that one.

That's the extent of my argument on this.

**Mr. Peter Kormos:** I'll be using the balance of this lead time of some 20 minutes.

I do not support this legislation and I want to tell you why.

I suppose that the most basic query would be, if speed limiters do all of these things, then why isn't the government proposing speed limiters for all vehicles on our highways: trucks, buses, cars, motorcycles? It seems to me that if this really was a safety and environmental issue, that would be the goal of this government.

I was fortunate enough to be able to sit in on the afternoon of the hearings when Ms. DiNovo was subbing for our critic, and I tell you, having heard the submissions made then, having read the material that was obtained—and I'm grateful to Andrew McNaught, the research officer for the committee—having read the submissions made by others, including those who support the bill, I



don't think the government has made its case. I simply don't. And that's not to say that speed isn't a problem.

I want to tell the minister—and I don't want to be unfair, so I'll not name names—that there have been more than a few times when I was driving in my Chevy S-10 pickup truck on the QEW back to Welland in the middle lane, with my cruise control set at 150—

*Interjections.*

**Interjection:** One fifteen.

**Mr. Peter Kormos:**—and there was this great big maroon Buick Roadmaster rushing past me on the left-hand side in the passing lane. As he was passing by me in this big Buick Roadmaster—and the newer version is a LeSabre; the owner of that Buick Roadmaster downsized to a LeSabre—with a swoosh, leaving my Chevy S-10 pickup truck just rocking in the wake, I might have, from time to time, recognized somebody who looks awfully like the Minister of Transportation. So maybe the minister warrants a speed limiter.

Look, I am impressed by the fact that owner-operators—and we all know that; everybody has spoken sympathetically about owner-operators. These aren't the big trucking firms. These are the men and women who invest huge amounts of money in their tractors, their rigs, who live in them, and who are a critical part of our economy in North America, especially with the not just growing but established phenomenon of just-in-time—and Lord knows, I wish us all well. My fear, with the job losses in the auto sector and in the auto parts sector, is that there may well be fewer and fewer transport trucks on our highways because of this government's abandonment of manufacturing and its workers here in the province of Ontario.

But if I've got to choose between the Ontario Trucking Association, the big trucking interests, and owner-operators, I'm with the owner-operators. If I've got to choose between the big trucking organizations and the Teamsters Union—which, as you know, is the union that a whole lot of professional truck drivers belong to, if they're fortunate enough to be unionized workers—I'm siding with the Teamsters.

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I read the material that was provided as a supplement to the contribution by Professor Prentice from the University of Manitoba. It was sad; it was regrettable; it was truly tragic, because I was embarrassed to go into that committee and see that submitters were only allowed a 10-minute slot. Some people went to great lengths to prepare their submissions, and then to be told they had a 10-minute slot was an absolute embarrassment. But Professor Barry Prentice from the University of Manitoba made submissions, and then Andrew McNaught obtained the scholarly materials, the research papers, that he made reference to. At the end of the day, the rebuttal to the government proposition is far stronger than anyone at first anticipated.

I am also impressed because—I've got to tell you, I can't not mention Dorothy Sanderson from Cannington, Ontario. She's just a tremendous woman, a long-time

trucker. She has driven many a mile, many a kilometre, delivering food, clothing and all that sort of stuff from one city to another, across North America, I suspect. She brought the perspective of the real world—none of this theoretical stuff; real-world stuff, real-life stuff. She talked about a number of things, as much as she could in a mere 10 minutes.

She talked about the phenomenon that we already heard the NDP transportation critic refer to as elephant racing, where one truck is trying to pass another on, let's say, a slight incline, with that truck occupying the left-hand lane for an incredibly long period of time, so that there's a huge lineup of cars behind him, which then generates driver behaviour that is inherently unsafe because people become reckless. They're in a panic to pass those trucks. I'm worried about the trucker who can't accelerate quickly enough to a sufficiently high speed to safely pass somebody or to avoid an accident. I'm worried about the trucker who can't accelerate at a sufficient speed to pass a dangerous situation.

By now, I'll bet you that I've driven millions of kilometres in the course of my lifetime so far—that QEW back and forth, back and forth, back and forth. I've got to tell you: To this day I've had the daylighters scared out of me by any number of drivers, but never by a professional truck driver. Are trucks big? Of course they're big. Do trucks travel one after the other, as we increasingly rely upon trucking to get goods from one place to another? Yes, of course they do. I tell you: Where the data referring to speed speaks of speed being a factor in 23% of accidents involving trucks, there's similarly material that suggests that of those 23%, the vast majority are cars that are speeding that cause the hazard and cause the danger. If speeding trucks are a problem, then get enforcement out there on the highway. It's as simple as that.

My colleague from Trinity-Spadina spent a whole lot of his 20 minutes expounding on the fact that size matters, and I'm not about to rebut him.

*Interjection.*

**Mr. Peter Kormos:** Mr. Brown laughs. I don't know what side of the calculation he finds himself on. But my colleague from Trinity-Spadina emphasizes that size matters. Down where I come from, people have known that a long time already. Yeah, trucks are big; that means you respect them.

It's just like pedestrians and cars. I watch, for instance, pedestrian behaviour. It's far different down where we come from in Hamilton or Welland, where, for instance, a taxi driver isn't forced to wait at an intersection while pedestrian after pedestrian after pedestrian blocks his or her right turn. Down where we come from, pedestrians understand that that cab driver is trying to eke out a living at what usually amounts to less than minimum wage, and you cut the guy some slack, for Pete's sake. Stop so he can turn right, rather than the arrogant, "I'm a pedestrian and I'll show you, you car operator." You understand what I'm talking about, don't you? You've been there, you've seen it, and you've done it.

As I say, on the highway, trucks are bigger than your car. I'm lucky. I don't drive a big pickup truck; I have a



small pickup truck, a Chevy S-10. It's got well over 300,000 clicks on it. I've had it for many a year. The other car is an old 1991 Buick Park Avenue. I don't drive that anywhere near enough. You know that David Chev-Olds, down on Niagara Street, the people I buy these vehicles from, keep them tuned up and running.

Why, for the life of me, the committee couldn't entertain these submissions for longer than 10-minute slots boggles the mind. Why, for the life of me, the committee couldn't have extended its hearings to listen to more detailed analysis of, for instance, the scholarly material boggles the mind. It seems to me the government is in a rush to get this bill passed; I suspect very much it's going to pass today. I believe that the majority of people in this chamber, the majority of them being Liberals, are going to ensure that the bill passes. I accept that as a reality, as the nature of majority governments, but I find it truly regrettable, because there wasn't a fair discussion about what's really happening on the highways.

One of the other observations that so many traffic safety people will tell you about is that it's safer to travel with the flow of traffic. As a matter of fact, you had one innovative scoff-law who, a couple of years ago, tried testing the police and the courts by driving at 100 kilometres an hour along the 401 eastward, as I recall it. You'll remember that he was charged, because he was effectively holding back traffic. Ms. Elliott recalls that. His defence was, "I was travelling the speed limit, 100 clicks." Sorry, pal; you were obstructing the flow of other traffic.

It seems to me that there's an issue around speed. Gary Furlong has written a book about this, about boundaries shifting, as an analytical tool, but it's obviously applicable here. The speed limit is 100, but we accept that 115 clicks is tolerable, because the police tend not to charge people under 115—somehow, and I don't know how valid that is; maybe I've just been lucky—so that effectively, the speed limit becomes 115, and people push that to 120 and then 125 and 130. I've got to tell you, driving out towards where Ms. Elliott is from on the 401, in my Chevy S-10 pickup truck—1994, by the way—on speed control at 115 clicks, I'm in the right-hand lane, and I'm still slowing other people down. It ain't the trucks that are zooming past me at 125, 130, 140 kilometres an hour; it's people in cars.

My anecdotal experience is contrary to what other people's is, obviously. Professional truck drivers have never, ever caused me to fear them. I'm respectful of a truck: the fact that it's bigger, the fact that it isn't as manoeuvrable as, let's say, a high-priced sports car like a Corvette or a Porsche. That means that you've got to respect them, cut them some slack, give them some leeway so that they can manoeuvre safely. I, for one, think you should take pride in doing that, because you've got a working woman or man driving that truck who's working hard to make a living. Just as pedestrians should respect taxi drivers and cut them a little bit of slack and let them get their fare to where it's going, people on the highway should respect trucks a little more and cut them a little slack and not create hazardous situations.

How many times—because I know you drive on that QEW, too—do you see somebody pass a truck, dart right in front of it in the middle lane and then slow down? You got some poor truck driver just about swallowing his bubble gum—

*Interjection.*

**Mr. Peter Kormos:** Well, because you've got your little Chevy Cobalt out in front of him, you pass him and then you slow down no more than spitting distance in front of the guy. You know exactly what I'm talking about. There's a truck driver—the perspiration breaks out in short order.

People don't understand that we have to share the highways with trucks; it's as simple as that. I say that if there's a problem with speeding, then you readjust the boundary. Then you have a campaign—and it will not take very long. People are incredibly responsive; it's this Pavlovian response. People, in short order, will start learning that you can't go 125 anymore. Having said that, we build highways in this country that are designed for vehicles to travel at 120 or 125 kilometres an hour. Most of the 400-series highways are designed specifically for that rate of speed.

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I was impressed by Dorothy Sanderson, the truck driver. I was impressed by Professor Barry Prentice. I was incredibly impressed by spokespeople, not only at the committee, where they made their submissions, but they held a soiree here downstairs—the people supporting this legislation had no qualms about drinking their wine or eating their hors d'oeuvres, their little crudités. We had the owner-operators association of Canada, along with the US-based Owner-Operator Independent Drivers Association downstairs at one of those soirées we have here from time to time, which seem to have no trouble attracting politicians and even their staff, because a free meal is a free meal and a free glass of wine is a free glass of wine.

I suspect they were a little dismayed at the rapidity of the process, and that people, especially the American owner-operators, were reflecting on US-style hearings, which tend to be somewhat more protracted and inquisitorial than the hearings we have here at Queen's Park, especially of late. I think they're suffering some whiplash with the speed at which this bill is being pushed through the Legislature. In a majority government, we have to live with the government's utilization of that majority in whichever way they see fit, for whatever motive or reason they see fit.

I don't think this bill does what it says it does, I don't think it will have the profound environmental impact that it purports to have, and I certainly don't think it's going to create safer roads. In fact, I believe it could create more dangerous highways. I'll echo what some of the other people have said: What we really need is far more effective training for drivers of all vehicles.

It's amazing how you can witness, from drivers whom you know have been driving for a considerable period of time, incredibly dangerous driving habits that they've



either acquired or simply never shed over the course of training. It's why I'm pleased that the NDP and our transportation critic have raised the issue of truck driver training schools and criticized those instant diplomas with minimal amounts of training.

One of the ways to create safer highways across the board is to insist on higher standards for the training of all drivers. One of the ways of ensuring safer roadways is to insist on safe vehicles, because while speed is ranked at 23%, unfit vehicles—bad brakes, among other things—are right up there with speed. Speed, I repeat, was most likely the problem of the car driver.

In terms of unsafe vehicles, when you've got a rig that costs \$300,000, \$400,000—are those the kinds of prices that people invest in these rigs?—that's a whole lot of mortgage. Trust me: They take care of them. You'll see them. Go to a truck stop. Go to Stop 50, the truck stop on the way down to Welland from where you live, on the south side of the QEW. Pull in there and see those rigs. They are spic and span. They are immaculate. You could eat off the fenders and bumpers. These owner-operator truck drivers take immaculate care of their vehicles and keep them at the most sophisticated level of mechanical condition.

I do not want to put truck drivers' lives or other vehicle occupants' lives at risk by putting an unfair and inappropriate mechanical limit on the speed of a truck when that speed is necessary to drive safely, either in terms of keeping up with the flow of traffic or of avoiding an unsafe situation. If this bill goes to a vote today, I will be voting against it.

**The Acting Speaker (Ms. Andrea Horwath):** Questions and comments? Further debate?

**Mr. Paul Miller:** I had the privilege of sitting in on some of the submissions by independent truckers in reference to this bill. It amazes me that this bill is going forward without the co-operation of the majority of truckers in this province. What you have is the big companies that are pushing it. We all want safety in this province. Safety is of the utmost importance. However, the majority of truck drivers in this province don't feel that this bill provides a safe atmosphere to do their jobs in and work in a safe environment.

I'm a little confused with the bill. If it was uniform throughout North America, that would be one thing. But when you go over into New York state or into Michigan, the speed limits are different. Are the slow-moving Canadian truckers who are on their highways in the States—and the other truckers have the ability to get to destinations quicker. Are they going to be bumper-riding these trucks? Are they going to be cutting them off? Are they going to be moving at a faster speed to create more income for themselves, or are they going to also join in at a slow speed in co-operation with their Canadian truckers? Also, when these truckers enter into Ontario, are they all of a sudden going to slow down and not speed because of our laws? They're not going to try and create more money, especially the independent drivers?

I would think that if you were going to pass a bill in this House, you would want the co-operation of the entire

trucking industry and the majority of the trucking industry. That's not the case here.

Everyone likes safe highways. I too have run across situations where there are anxious drivers behind me, going up a hill, and you've got two big rigs blocking both lanes. People are in a hurry to get by, and finally when the truck does get out of the way, these cars are bumper to bumper, flying up on the passing lane. The next thing you know, what we've got is an accident.

A lot of times when you're going downhill or uphill, you can't see what's in front of you. When the rig gets out of the way, the next thing you know you're on top of a school bus or something, trying to pass at a high speed. I think the majority of these truckers are good drivers and I think they actually do control the flow of traffic on our highways.

In the presentations, the independent truck drivers had 10 minutes each. They came with large dossiers. They wanted to make a professional, educated submission, and they weren't allowed to. They had 10 minutes.

Then, unfortunately, the government decided to bring in a couple of people who had lost a spouse on the highways. How did this spouse, the one they brought, lose her husband? He wasn't avoiding another truck; he lost his life avoiding speeding cars. He ended up sideways in the ditch. So it wasn't trucks causing truck problems, it was the cars, as my colleague from Welland pointed out.

There are so many things in this bill that are missing. There are so many things that haven't been addressed. If you want to have a bill that's effective, a bill that's going to cover all aspects of the business of trucking, then you should listen to all the submissions, you should listen to all the people who are involved in industry and take seriously what they say—and take longer.

As my colleague pointed out, this bill is being rushed through too quickly. There are many people out there who weren't heard. There are only so many people who are allowed in the time allotted to come in front of the committee, and it seemed to be stacked by certain bigger outfits, more than the little guys.

Once again, a bill is going through this House without deep thought. Get it through quick before the session is over. Don't deal with all the aspects that can be looked at from both sides in the aspect of safety.

I want to just touch on pollution. We're talking about pollution, which I've talked to the environmental minister about. Here we are in a province where you have huge stacks pouring out tonnes and tonnes of emissions into the air we breathe. These trucks come with pollution control systems on them. So this big—I don't know—250 tonnes of pollution they're going to save is nonsense. It may save a little bit.

Why don't you start dealing with industries and the stacks that pour out millions and millions of tonnes of pollution? Put secondary control systems in. Truckers might have a good argument. The truckers are saying, "You're punishing me, as a small operator. You're taking away my livelihood, yet you let the big polluters pollute." It just doesn't make sense.



1530

I think it's gotten to a point where common sense does not prevail, to a point where we don't look at a bill long enough or hard enough to dissect it. I'm not a professional driver, but it seemed to me that all the professional drivers who came in front of them, except the big companies, were dead set against this bill. They do feel that it's going to impact on their livelihood.

So what's going to happen? Down the road, if this bill passes, I want to really see the results of the studies of the "saviour" from pollution in comparison to other things in the province that pollute. I want to see the impact, what percentage out of 100% of this bill placed on the truckers is going to save from pollution.

Frankly, coming from where I am, I've even had people who wanted to put in new plants say to me, "Mr. Miller, the airshed in Hamilton is full now. What's another incinerator? What's another 1,000 trucks in Hamilton?" We have the highest rates of asthma, breathing problems and lung problems in Hamilton. What's another incinerator? What's another factory? What's another 1,000 trucks? It just doesn't make sense.

If you're going to enforce the laws of this province, then do it with some thought. Do it with some depth. I'm sick, in my short tenure here, of seeing surface bills just to please people, just to keep them quiet or happy—not bills with substance, just the fluff bills, I guess they call them. I've seen so many in the short time I've been here. I have seen no bills with any substance come to this floor for honest, hard debate, where the opposition parties can grill and do what we're supposed to do. What do we do? We get cut off by the majority in committees. We don't even get to talk about them.

In fact, my bill never even got read. Nobody even looked at it. They didn't even know what I was talking about when I made my presentation. That's pretty scary. So if you want to be serious about this province, whether it be safety, the environment, trucking, schools, whatever it is, then you'll have to start having longer and better discussions, more in-depth investigations, and have the professionals in each field here to speak and have their time in court to be able to make these bills the way they should be.

I think there are many things missing in this bill, many things they didn't deal with. They touched on it but didn't really open it up. I really feel that this bill is totally unfair and hasn't been looked at properly. Personally, I cannot support this bill in its present state. It needs a lot more work before you impact the lives of thousands and

thousands of truckers and other people in this province who rely on that.

If you want to look at the safety aspect of it, let's look at buses. You don't think that a bus can do as much damage as a rig? How many buses have you seen turned over? How many buses have killed people? How many people on buses—our school buses don't even have the proper safety features. The kids are on those buses without seatbelts. It's scary. They're bouncing around like popcorn. If a big rig hits them—what if a Greyhound bus hits a school bus? He hasn't got a speed limiter. Don't you think he's going to do as much damage as a big rig would? He certainly would.

I support safety, I support a good environment, but this bill does not address those problems to the level it should. Until we start putting bills through this House that have thought, foresight and depth, I have a real problem with it. I, personally, cannot support this bill in this state.

**The Acting Speaker (Ms. Andrea Horwath):** Thank you. Questions and comments? Further debate? Are there any honourable members who wish to participate in the debate? If not—I was actually going to go to the minister or the parliamentary assistant for a reply.

*Interjection.*

**The Acting Speaker (Ms. Andrea Horwath):** I'm sorry. I guess it has to be the minister himself because he moved the motion.

Mr. Bradley has moved third reading of Bill 41, An Act to amend the Highway Traffic Act in relation to the use of speed-limiting systems in commercial motor vehicles. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

I believe the ayes have it. The motion is carried.

*Third reading agreed to.*

**The Acting Speaker (Ms. Andrea Horwath):** Be it resolved that the bill do now pass and be entitled as in the motion.

Orders of the day.

**Hon. Leona Dombrowsky:** I move adjournment of the House.

**The Acting Speaker (Ms. Andrea Horwath):** Is it the pleasure of the House that the motion carry? Carried.

The House now stands adjourned until Tuesday, June 17, at 9 o'clock.

*The House adjourned at 1536.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Aggelonitis, Sophia (L)	Hamilton Mountain	
Albanese, Laura (L)	York South–Weston / York-Sud–Weston	
<b>Arnott, Ted (PC)</b>	Wellington–Halton Hills	First Deputy Chair of the committee of the whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Arthurs, Wayne (L)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (L)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (L)</b>	Sudbury	Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels Attorney General / procureur general
<b>Bentley, Hon. / L'hon. Christopher (L)</b>	London West / London-Ouest	
Berardinetti, Lorenzo (L)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (L)</b>	Scarborough–Guildwood	Minister of Health Promotion / ministre de la Promotion de la santé
Bisson, Gilles (ND)	Timmins–James Bay / Timmins–Baie James	
<b>Bradley, Hon. / L'hon. James J. (L)</b>	St. Catharines	Minister of Transportation / ministre des Transports
Broten, Laurel C. (L)	Etobicoke–Lakeshore	
Brown, Michael A. (L)	Algoma–Manitoulin	
Brownell, Jim (L)	Stormont–Dundas–South Glengarry	
<b>Bryant, Hon. / L'hon. Michael (L)</b>	St. Paul's	Minister of Aboriginal Affairs, government House leader / ministre des Affaires autochtones, leader parlementaire du gouvernement Minister of Natural Resources / ministre des Richesses naturelles
<b>Cansfield, Hon. / L'hon. Donna H. (L)</b>	Etobicoke Centre / Etobicoke-Centre	
<b>Caplan, Hon. / L'hon. David (L)</b>	Don Valley East / Don Valley-Est	Minister of Public Infrastructure Renewal / ministre du Renouvellement de l'infrastructure publique
<b>Carroll, Hon. / L'hon. M. Aileen (L)</b>	Barrie	Minister of Culture, minister responsible for seniors / ministre de la Culture, ministre déléguée aux Affaires des personnes âgées Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration
<b>Chan, Hon. / L'hon. Michael (L)</b>	Markham–Unionville	
Chudleigh, Ted (PC)	Halton	
Colle, Mike (L)	Eglinton–Lawrence	
Craitor, Kim (L)	Niagara Falls	
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Delaney, Bob (L)	Mississauga–Streetsville	
Dhillon, Vic (L)	Brampton West / Brampton-Ouest	
Dickson, Joe (L)	Ajax–Pickering	
DiNovo, Cheri (ND)	Parkdale–High Park	
<b>Dombrowsky, Hon. / L'hon. Leona (L)</b>	Prince Edward–Hastings	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales Minister of Labour / ministre du Travail
<b>Duguid, Hon. / L'hon. Brad (L)</b>	Scarborough Centre / Scarborough-Centre	
<b>Duncan, Hon. / L'hon. Dwight (L)</b>	Windsor–Tecumseh	Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
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Elliot, Christine (PC)	Whitby–Oshawa	



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Gélinas, France (ND)	Nickel Belt	
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<b>Gravelle, Hon. / L'hon. Michael (L)</b>	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Hampton, Howard (ND)	Kenora–Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
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Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
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Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara-Ouest–Glanbrook	
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Kwinter, Monte (L)	York Centre / York-Centre	
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Martiniuk, Gerry (PC)	Cambridge	
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McNeely, Phil (L)	Ottawa–Orléans	
<b>Meilleur, Hon. / L'hon. Madeleine (L)</b>	Ottawa–Vanier	Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (ND)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
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Mitchell, Carol (L)	Huron–Bruce	
Moridi, Reza (L)	Richmond Hill	
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Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
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Prue, Michael (ND)	Beaches–East York	
<b>Pupatello, Hon. / L'hon. Sandra (L)</b>	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Qaadri, Shafiq (L)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (L)	London–Fanshawe	
Ramsay, David (L)	Timiskaming–Cochrane	
Rinaldi, Lou (L)	Northumberland–Quinte West	
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Scott, Laurie (PC)	Haliburton–Kawartha Lakes–Brock	
Sergio, Mario (L)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
<b>Smith, Hon. / L'hon. Monique M. (L)</b>	Nipissing	Minister of Revenue / ministre du Revenu
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Sorbara, Greg (L)	Vaughan	
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Tabuns, Peter (ND)	Toronto–Danforth	
<b>Takhar, Hon. / L'hon. Harinder S. (L)</b>	Mississauga–Erindale	Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Van Bommel, Maria (L)	Lambton–Kent–Middlesex	
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<b>Wynne, Hon. / L'hon. Kathleen O. (L)</b>	Don Valley West / Don Valley-Ouest	Minister of Education / ministre de l'Éducation
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Khalil Ramal, Laurie Scott, Peter Shurman  
Clerk / Greffier: Katch Koch







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First reading agreed to .....2580

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## Legislative Assembly of Ontario

First Session, 39<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Première session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 17 June 2008

Mardi 17 juin 2008

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 17 June 2008

*The House met at 0900.  
Prayers.*

## ORDERS OF THE DAY

### ORDER OF BUSINESS

**Hon. Michael Bryant:** Speaker, we're proposing to deal with private bills at this time. I believe we have all-party agreement, so I seek unanimous consent that the orders for second and third reading of private bills may be called consecutively and that the Speaker shall put the question on the motions for second and third reading of each bill without debate or amendment.

**The Acting Speaker (Mr. Ted Arnott):** You're seeking unanimous consent to move the motion first. Is there such consent in the House? Agreed.

**Hon. Michael Bryant:** Speaker, I move that the orders for second and third reading of the following private bills may be called consecutively and that you shall put the question on the motions for second and third reading of each bill without debate or amendment: namely, Bill Pr2, An Act to revive Grand Avenue Holdings Ltd.; Bill Pr3, An Act respecting St. Andrew's Congregation of the United Church of Canada at Toronto; Bill Pr5, An Act respecting Madresa Ashraful Uloom; Bill Pr6, An Act to revive 716056 Ontario Limited; Bill Pr7, An Act to revive 827291 Ontario Ltd.; Bill Pr8, An Act to revive 719226 Ontario Limited; and that another member may move the motions for second and third reading on behalf of the sponsor of any of the bills.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

*Agreed to.*

### GRAND AVENUE HOLDINGS LTD. ACT, 2008

Mr. Ruprecht moved second reading of the following bill:

Bill Pr2, An Act to revive Grand Avenue Holdings Ltd.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 17 juin 2008

### GRAND AVENUE HOLDINGS LTD. ACT, 2008

Mr. Ruprecht moved third reading of the following bill:

Bill Pr2, An Act to revive Grand Avenue Holdings Ltd.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

*Third reading agreed to.*

**The Acting Speaker (Mr. Ted Arnott):** Be it resolved that the bill do now pass and be entitled as in the motion.

### ST. ANDREW'S UNITED CHURCH (TORONTO) ACT, 2008

Mr. Zimmer moved second reading of the following bill:

Bill Pr3, An Act respecting St. Andrew's Congregation of the United Church of Canada at Toronto.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

### ST. ANDREW'S UNITED CHURCH (TORONTO) ACT, 2008

Mr. Zimmer moved third reading of the following bill:

Bill Pr3, An Act respecting St. Andrew's Congregation of the United Church of Canada at Toronto.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

*Third reading agreed to.*

**The Acting Speaker (Mr. Ted Arnott):** Be it resolved that the bill do now pass and be entitled as in the motion.

### MADRESA ASHRAFUL ULOOM ACT, 2008

Mr. Zimmer, on behalf of Mr. Qaadri, moved second reading of the following bill:

Bill Pr5, An Act respecting Madresa Ashraful Uloom.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*



MADRESA ASHRAFUL ULOOM  
ACT, 2008

Mr. Zimmer, on behalf of Mr. Qaadri, moved third reading of the following bill:

Bill Pr5, An Act respecting Madresa Ashraf ul Uloom.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

*Third reading agreed to.*

**The Acting Speaker (Mr. Ted Arnott):** Be it resolved that the bill do now pass and be entitled as in the motion.

716056 ONTARIO LIMITED ACT, 2008

Mr. Norm Miller moved second reading of the following bill:

Bill Pr6, An Act to revive 716056 Ontario Limited.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

716056 ONTARIO LIMITED ACT, 2008

Mr. Norm Miller moved third reading of the following bill:

Bill Pr6, An Act to revive 716056 Ontario Limited.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

*Third reading agreed to.*

**The Acting Speaker (Mr. Ted Arnott):** Be it resolved that the bill do now pass and be entitled as in the motion.

827291 ONTARIO LTD. ACT, 2008

Mr. Naqvi moved second reading of the following bill:

Bill Pr7, An Act to revive 827291 Ontario Ltd.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

827291 ONTARIO LTD. ACT, 2008

Mr. Naqvi moved third reading of the following bill:

Bill Pr7, An Act to revive 827291 Ontario Ltd.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

*Third reading agreed to.*

**The Acting Speaker (Mr. Ted Arnott):** Be it resolved that the bill do now pass and be entitled as in the motion.

719226 ONTARIO LIMITED ACT, 2008

Ms. Jaczek moved second reading of the following bill:

Bill Pr8, An Act to revive 719226 Ontario Limited.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

*Second reading agreed to.*

719226 ONTARIO LIMITED ACT, 2008

Ms. Jaczek moved third reading of the following bill:  
Bill Pr8, An Act to revive 719226 Ontario Limited.

**The Acting Speaker (Mr. Ted Arnott):** Is it the pleasure of the House that the motion carry? Carried.

*Third reading agreed to.*

**The Acting Speaker (Mr. Ted Arnott):** Be it resolved that the bill do now pass and be entitled as in the motion.

Orders of the day?

**Hon. Michael Bryant:** I seek consent for the House to recess until 10:45.

**The Acting Speaker (Mr. Ted Arnott):** Agreed? Agreed.

This House stands in recess until 10:45 a.m.

*The House recessed from 0913 to 1045.*

INTRODUCTION OF VISITORS

**The Speaker (Hon. Steve Peters):** On behalf of the members, I would like to welcome a number of guests today.

On behalf of the member for Mississauga–Erindale, we would like to welcome Indian actor, producer and director Mr. Dev Anand. He is accompanied in the House by his son Suneil Anand; the Consul General of India, Satish Mehta; Mrs. Preeti Mehta and other guests from India. They will be in the House at around 11:15 today.

On behalf of the member for Parry Sound–Muskoka, in the east public gallery, we would like to welcome the students of Riverside Public School and their teacher, Joanne Lea.

On behalf of the member for Hamilton East–Stoney Creek, we would like to welcome, in the west members' gallery, Darrell Powell of British Columbia, Pete Clare of Forest, Ontario, and Colleen Mathers, on behalf of injured workers.

On behalf of page Alie Crump, we would like to welcome her mother, Jeniffer, and her sister Katie. They will be in the west members' gallery.

On behalf of page Chris Grouchy, we would like to welcome his mother, Debbie Grouchy, his brother Robbie and his step-sister Kelsi Oram, in the west public gallery.

On behalf of page Murray Fallis, we would like to welcome his mother, Wendy McQuaig Fallis, his father, Fred Fallis, his uncle John McQuaig, his aunt Janet McQuaig, his cousin Max McQuaig, his cousin Anna McQuaig, his grandmother Audrey McQuaig, his aunt Betty Trow Fallis, his cousin Rachel Trow and his grandmother Lois Fallis, all in the west members' gallery.

I'd like to extend a special welcome today to a delegation in the Speaker's gallery from the Imo State House of Assembly in Nigeria. Part of the delegation this morning is the Honourable Jonas Okeke, the Deputy Speaker; Dr. Emmanuel Ibekwe, the Clerk of the House, and other guests. Welcome to Queen's Park and welcome to Ontario today.

## ORAL QUESTIONS

## ENERGY POLICIES

**Mr. John Yakabuski:** My question is for the Minister of Energy. Your government has projected that new nuclear plants announced yesterday for Darlington will be online in 2018, but your government has yet again promised to close the coal-fired plants, this time by 2014. That leaves a four-year gap. Minister, how do you plan to keep the lights on during that four-year gap?

**Hon. Gerry Phillips:** It's a question that I think the public have a right to hear the answer on. We have a 20-year electricity plan. It's published. It's the subject of an awful lot of background research. It is before the Ontario Energy Board right now for review. It spells out in great detail exactly how we will provide the supply.

I might add, to all of us, particularly the public, it starts with conservation. We are determined to cut our demand by about 20% over the life of this project, over the life of the plan. Secondly, we are doubling our use of renewables. It's all spelled out in that plan. We are going to maintain our nuclear fleet at 14,000 megawatts.

I would say to the member and, equally importantly, to the public: Take a look at the plan. It's all there in detail. It spells out exactly how we will accomplish it. And it's a good plan.

**Mr. John Yakabuski:** I might remind the minister that he had planned to close the coal plants in 2007, and then in 2009. You're not that good at planning, Minister.

Your government has absolutely no credibility when it comes to energy. It's been one broken promise after another. We know that in 10 years, demand in Ontario will rise to about 29,000 megawatts. The current capacity is between 26,000 and 28,000 megawatts, and the coal plants provide 25% of that capacity. There's no guarantee that the nuclear plants will actually be online by 2018.

I ask you again, how do you plan to keep the lights on past 2014? Or do you plan on breaking your coal promise yet a third unprecedented time?

1050

**Hon. Gerry Phillips:** I'll repeat part of my answer. We have a 20-year plan, spelled out in detail, before the Ontario Energy Board.

I would also say that we have an Independent Electricity System Operator. This is a group that looks at our supply. What did they say? Two things: They've told us publicly that we have on stream the capacity to hit our next one-third reduction on coal in 2011. They've also told us that over the next 18 months we have more new supply coming online in the province of Ontario than at any other 18-month period in the history of the province.

So we have a 20-year plan before the Ontario Energy Board that's spelled out in detail. I think the people of Ontario can feel confident that we have a reliable, affordable and environmentally sensitive electricity plan for the future.

**Mr. John Yakabuski:** Their plans—it reminds me of Robbie Burns.

Minister, what your government's dithering has cost Ontarians—businesses are going to think twice about investing and creating new jobs in Ontario, because under your plan, which you're not very good at planning, there's no assurance of a reliable, affordable, sustainable energy supply in the province of Ontario. There's no plan for keeping the lights on between 2014 and 2018, so the coal plants are going to have to stay open until the nuclear plants are actually up and running, and who knows when that date will actually be? And because you've refused to install scrubbers on the coal plants, as our party suggested, we're going to see the number of smog-related deaths, now pegged at 9,500 a year, dramatically increase.

When is your party simply going to admit that your bungling of the energy file is costing Ontarians jobs and lives?

**Hon. Gerry Phillips:** Actually, on the contrary, I would say to our business community, invest in Ontario. We have a long-term electricity plan that I guarantee you is reliable, affordable and done in the most environmentally sensitive way possible. Other jurisdictions aren't doing that. In my opinion, they don't have a sustainable electricity plan. I happen to think our plan is an economic tool for Ontario, and as I say, it's all spelled out in detail.

I would just remind the member and others that people often talk about electricity prices. In the last four years, our industrial price has actually gone up at a rate less than inflation. So you'll hear fictitious figures.

I would go back to our business community and say that this is the place to invest. We have a long-term plan that will provide reliable, affordable and environmentally sensitive electricity for the years ahead.

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock for a moment. To the members, I recognize that it's much like the end of a school year and everybody's anxious to get out of here, but I would just caution the government side to have some respect as the opposition asks their questions and to keep the tone down.

New question.

## C. DIFFICILE

**Mrs. Elizabeth Witmer:** My question is for the Minister of Health. Yesterday, the Hamilton Spectator reported that there were investigations into C. difficile deaths in countries such as Britain, Wales, France, Belgium, the Netherlands, the United States, Northern Ireland and, now we learn, Scotland. In fact, in the article, Scotland's health minister was quoted as saying that after about 16 C. difficile deaths, there is now "a compelling case" for an independent inquiry.

When all these countries have conducted independent investigations into C. difficile, why, after almost 300 deaths in just seven hospitals, will you not accept the fact that a severe problem exists—people are dying—and why will you not undertake a broad, independent invest-



igation to get to the bottom of it and prevent it in the future?

**Hon. George Smitherman:** It is a matter of the future which is first at hand in addressing this issue. We too have had investigations in the province of Ontario—a coroner's investigation into the affairs in Sault Ste. Marie, which in part led the coroner to say that no further investigation is required. What is required is to take advantage of the information that we have.

I feel very strongly that the approach we've outlined to Ontarians—which sees Dr. Michael Baker emerging as the very strong voice as a patient safety lead on behalf of the government of Ontario, and full public reporting, which will be initiated very expediently on September 30—stands as the very best measure of protection for the people of Ontario, adding tremendous transparency to the circumstances related to patient safety matters in Ontario's hospitals not only related to C. difficile but on a wide variety of indicators. I'm quite certain this is the most appropriate way to move forward.

**Mrs. Elizabeth Witmer:** I say to the minister that the response is totally inadequate. I have a pile of letters and faxes here from individuals throughout the province who are calling for an investigation, ranging from a 20-year-old who suffered to someone who is much older.

I would say to the minister, you have been in complete denial about the seriousness of this outbreak. Are you afraid that someone is going to scrutinize your behaviour and lack of action over the past five years? You refer to what you've done. As you know, what you've done amounts to absolutely nothing. You've reviewed some hospital charts, you've sent out some fact sheets; you haven't taken an overall, comprehensive look at each hospital to determine what happened and why and how we can contain it.

Why will you not listen to the public and give the public answers today in order that further deaths can be prevented?

**Hon. George Smitherman:** It's a little bit disappointing that in an attempt on the honourable member's part to politicize this, she has to make a characterization that says to people, thousands of them all across health care, that they've done nothing. She says in her comment that the people in health care in Ontario have done nothing, that the Provincial Infectious Diseases Advisory Committee has done nothing. She says that 14 infection control networks and all the people who work in support of those have done nothing, that the 137 infection control practitioners allocated to hospitals, including two at Joe Brant, did nothing.

I don't think the honourable member's characterizations are appropriate. But more to the point, we have the opportunity to move forward in a way that uses transparency as a powerful tool to get the action that people require all across the broad platform of hospitals. September 30: broad public reporting of information on all hospitals.

**Mrs. Elizabeth Witmer:** It is absolutely shameful, as I speak to the Minister of Health, that he would try to

deflect the responsibility to the health providers in this province. They are the only ones who have been on top of this issue. The hospital administrators, the nurses, the doctors and the cleaning staff have tried to do what they can without any help from this minister. This is the only individual who hasn't taken any action.

I say to you today that there are at least 300 deaths. In fact, I've said before that if you extrapolated, it could be 5,000. This is a complex, systemic issue. It needs to be looked at impartially and efficiently. You have an obligation to restore public confidence. I ask you one more time, will you establish an independent commission or, today, are we going to give the Ombudsman the responsibility to do what you refuse?

**Hon. George Smitherman:** We've given the responsibility to Dr. Michael Baker, an acknowledged expert in the matter at hand. We think it's important that on this important matter, the honourable member in her first question said that all that had been done in health care amounted to nothing. In her second question, she said, "Oh, no, it's just for political purposes that I want to be able to say that."

Instead, we think the prudent approach for Ontarians is to ask someone who is expert in the matter to be their voice on this and to lead Ontario forward with a broad degree of public reporting, with a level of transparency that will be extraordinarily powerful in its own right and which can be implemented very quickly. That is the path we choose. It's the path toward putting this information powerfully in the hands of Ontarians. This is a strong incentive to the right kind of performance, and this can happen very quickly. September 30 is the start date.

1100

## POVERTY

**Ms. Cheri DiNovo:** My question is to the Minister of Children and Youth Services. Last night, more than 100 people on fixed incomes, social assistance and minimum wage crowded into the native centre for a true consultation on poverty. No one was kept out and no one was silenced. More than anything else, attendees demanded (1) a living wage, (2) a substantial raise in social assistance, and (3) more affordable housing. I ask, why won't this government listen and commit to a \$10.25-an-hour minimum wage now, 7,000 new housing starts this year, and a concrete plan right now to raise the incomes of all ODSP and all OW recipients above the poverty line? Why won't this minister give the poor what they need?

**Hon. Deborah Matthews:** For the first time ever we have a government that is committed to addressing the issue of poverty in a comprehensive way with measures and with timelines. Yet, the party opposite continues to undermine this process every step of the way. This is not about politics. This is about getting to work to make sure that kids in this province have the opportunities they need to achieve their full potential. It's about working together with people from all walks of life, from all perspectives, to actually develop that comprehensive strategy that will



create an educated, healthy workforce and society. This is not about you, this is not about me; it's about making life a little bit better for kids who are living in poverty, for all people—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary.

**Ms. Cheri DiNovo:** The minister is very good at addressing the poor, but the poor don't need to be addressed; they need an address. More than 80 economists and dozens of antipoverty and labour groups have pleaded with the McGuinty government for a \$10.25 minimum wage indexed to inflation now. I ask again, why won't this government raise the minimum wage immediately to above the poverty line? Why won't the minister give the poor what they need?

**Hon. Deborah Matthews:** Over the weekend there was a very disturbing comment made by the leader of the third party. Howard Hampton in a party conference referred to those people participating in developing a poverty reduction strategy, people coming and attending and working hard together, as poverty pimps. So here's what I want to know: Whom is he talking about? Is he talking about the Kingston Coalition Against Poverty? Is he talking about the Anne LeSage's Thunder Bay Indian Friendship Centre? Is he talking about the CAW Community child care services? Is he talking about the Homeless Coalition of Windsor-Essex County? My question is this: Will Howard Hampton stand up and apologize?

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock for a moment.

**Ms. Cheri DiNovo:** I can see why the minister opposite doesn't want to speak—

**The Speaker (Hon. Steve Peters):** Thanks. Start the clock. Final supplementary.

**Ms. Cheri DiNovo:** Thank you, Mr. Speaker. All of the groups that the minister opposite mentioned are the same groups that are demanding a \$10.25-an-hour minimum wage right now. They're the same groups that are demanding affordable housing right—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock. I just ask the members on the government side once again to tone it down. We're on our second-last day, we've got a class of grade 5s here to whom we constantly preach about having respect in the classroom. We need to have that same respect in here for one another. Please continue.

**Ms. Cheri DiNovo:** Thank you, Mr. Speaker. Again, all of the groups that are working in the antipoverty context are firmly on the side of a \$10.25 minimum wage now. They're all firmly on the side of affordable housing now. They're all firmly on the side of an increase in ODSP and OW now. So I ask this minister opposite again, will she do what the poor demand? Will she give the poor what they need instead of attacking our leader?

**Hon. Deborah Matthews:** I want to ask the member opposite and the members opposite if they agree with their leader. Do you think Big Brothers and Big Sisters

are poverty pimps? The Salvation Army, the Hamilton Social Justice Coalition, St. Joseph's Immigrant Women's Centre, the Ottawa Food Bank, the mission shelter, the YMCA and YWCA, the United Way, are these people poverty pimps? If not, would you stand up and distance yourself from your leader's comments?

## NUCLEAR ENERGY

**Mr. Peter Tabuns:** A question to the Minister of Energy: Nuclear power project cost overruns account for \$15 billion of the nearly \$20 billion of the stranded debt left by Ontario Hydro. Each month, every household and business in Ontario contributes to paying off this massive debt through debt retirement charges on every single hydro bill. Why is this government so intent on repeating history and committing Ontario to an expensive, unreliable \$50-billion nuclear future?

**Hon. Gerry Phillips:** Let me say what we're committed to, and that is, implementing the plan we've laid out. It's our 20-year plan. It provides for reliable, affordable and environmentally sensitive electric power, in detail. It calls for conservation measures that are very aggressive but attainable: 6,300 megawatts, and that's where we all should start. It calls for doubling the use of renewables—wind, solar. It does call for maintaining our nuclear capacity.

The people of Ontario understand that we've produced electricity this way since the late 1960s. Last year, 2007, 52% of our electricity came from nuclear. What we guarantee the people of the province is that we have a very clear plan, one that's reliable, affordable and environmentally sensitive and provides for the right plan for the future.

**Mr. Peter Tabuns:** Minister, you make tremendous claims, but the reality is you've moved very slowly on renewable energy and efficiency. You have shut down renewable energy projects. You have not been moving on getting hydro power from Quebec or Manitoba at the speed we need.

You've been in power for five years. We aren't seeing the tougher efficiency standards for appliances, more aggressive building codes. Will you simply admit that your inaction is forcing you to repeat history and go to a repeat of Darlington, \$2.5 billion to start with and over \$14 billion at the end of the day? Will you admit that you've simply boxed this province into a corner?

**Hon. Gerry Phillips:** Again, we'll deal with the facts, and that is, we've laid our 20-year plan. I would say to the public that we have what we call a renewable energy standard offer program. We thought we would get, over 10 years, 1,000 megawatts. After 18 months, a year and a half, we got 1,500 megawatts. We're 50% above our 10-year target.

On conservation, I think we're very aggressive. In fact, the chief conservation officer has indicated we've exceeded our target for 2007 by a fair bit. Although I would say to all of us, all that is, in my opinion, is the first lap of a long-distance race on conservation.



I'd just say to the public, we have this 20-year plan laid out in detail for affordable, reliable, environmentally sensitive electricity. Part of it is to maintain what we provide on nuclear. Again, I would say that 52% of our electricity last year came from nuclear. We plan to maintain essentially that capacity—

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary.

**Mr. Peter Tabuns:** The facts are that nuclear cost overruns have plagued every nuclear project in this province and have resulted in more than \$15 billion in stranded debt. Your energy approach has not taken us down the path of affordable energy and good-paying jobs by creating clean, affordable power. Even recently, you closed down renewable energy projects that were coming forward in this province. Why are you going ahead full throttle with a \$50-billion nuclear megaproject before your own energy plan is approved by the OEB?

1110

**Hon. Gerry Phillips:** Just again for the public's sake, in terms of the process we're following, we've learned some lessons from Darlington. We are going through a competitive process. We have three very good companies that are in the request-for-proposal stage: Areva, AECL and Westinghouse. So it will be a competitive process.

It was single-sourced, I might add. Last time, the project started, stopped, started, stopped. We've learned from that. This project we have on a very firm timetable, a very firm track, using the competitive process.

So I'd say to the public, we've got a plan spelled out in detail which will provide us with 20 years of affordable, reliable and environmentally sensitive electricity. I'm very happy with the plan, and as I said in one of the answers earlier, I think this provides us with a long-term competitive edge economically.

## SCHOOL SAFETY

**Mr. Frank Klees:** My question is to the Minister of Education. Yesterday, the minister confirmed in this House that the proper protocol was in place when a principal failed to report an assault on a 6-year-old student in a York region school. She also confirmed that the reporting protocol was not followed. Then she said this: "What we need to do is make sure that we have the right enforcement mechanisms." The York Regional Police agree with the minister. When asked if charges were laid against the principal, Constable Marina Orlovski said this: "They were considered and dismissed. The required elements for the charges were not there ... based on the wording of the act." That's why we've been calling on the minister to change the wording of the act so that in fact charges can be laid.

I ask one more time of the minister: Will she agree to bring legislation forward that will enable charges to be laid for failure to report?

**Hon. Kathleen O. Wynne:** I appreciate the member opposite's vigilance on this. I think it's very important from the perspective of everyone in this House that we

have the correct protocols and the correct legislation in place so that reporting mechanisms are appropriate. What we are doing is looking at the various pieces of legislation that have reporting mechanisms in place. We're looking to see whether there are gaps and whether there is a need to change the legislation.

As I have said to this member many times, the protocol was in place. It was breached. The actions of the board were taken in light of the action of the principal. What we are doing is looking at those pieces of legislation, and we will act to rectify any gaps that are in place.

**Mr. Frank Klees:** The Child and Family Services Act makes it an offence for school officials to fail to report incidents of child abuse at the hands of a parent. If convicted, the school officials face a fine of \$1,000. I've pointed out on numerous occasions that there is no similar provision in this act or any other legislation in the province with respect to a school official being required to report student-on-student assault or abuse.

In light of this example, in light of what we have heard from the York Regional Police, that they are unable to lay charges, this is a simple matter. We don't need another investigation or a long committee. What we need is for the minister to simply acknowledge that she is on the side of parents, on the side of students, on the side of the police, and that she will bring in an amendment—

**Hon. Kathleen O. Wynne:** I am on the side of children. I am on the side of parents. I have said clearly that from a parent's perspective, it is inappropriate to me that a parent was not informed of this incident. I have been very clear about that. In fact, that is the nature of the breach of the protocol that happened in this case.

It will come as no surprise to anyone in this House that I, as the Minister of Education, am not going to endorse policy on the basis of the member opposite's recommendation without having considered all of the aspects that are in place in other pieces of legislation. It is my responsibility to be judicious, to look at the interaction between pieces of legislation and to take the advice of experts and legal advice. That is what my parliamentary assistant, the member for Guelph-Wellington, is doing with the safe schools action team. I will be taking the advice of the safe schools action team in the fall.

## ACCESS TO EDUCATION

**Mr. Rosario Marchese:** To the same minister: In 2006, 15-year-old Kimberly Lizano-Sossa and her 14-year-old brother Gerald were arrested by immigration officers while at school and subsequently deported. In Toronto alone, more than 20% of immigrant children are still being denied a role in public schools because of their immigration status. Children shouldn't be afraid to go to school, and schools shouldn't be pawns in immigration battles.

In 2005, you amended the Education Act, and you said that would never happen again. Why are you now



unwilling to enforce the act and protect these children's right to an education?

**Hon. Kathleen O. Wynne:** It is the position of this government—and in fact we changed the legislation; we changed the Education Act to provide an education for every child who comes to the doorstep of a publicly funded school in this province. That is the legislation, and that is the position of this government. I know that there are and there may be situations where there are questions asked and where there's information attained. I'm not going to comment on a specific case. The position of this government is that if a child lives in Ontario and is in a position and wants to go to a publicly funded school, that child has a right to an education. That is our legislation.

**Mr. Rosario Marchese:** Some 20% of immigrant children are being denied access to a school. What is the point of having a law that you yourself introduced in this place in 2005 if you're not going to enforce it? You should be telling all boards in Ontario, in no uncertain terms, that all children must be accepted in school regardless of their status. Why aren't you adopting the Toronto District School Board's "don't ask, don't tell" policy to ensure that children can learn without fearing the fate of Kimberly and Gerald?

Minister, are you going to enforce your own law or continue to pretend the problem is not yours?

**Hon. Kathleen O. Wynne:** In December 2004, we sent a policy memorandum to all school boards, and what we said was that all school boards must allow children to come to school, whatever their immigration status.

The fact is that there may be incidents and there may be situations where a student is denied access. That is not the policy of this government. Certainly, I will continue to make it clear to boards of education that the law must be enforced and children must be allowed to enter school.

## MUNICIPAL INFRASTRUCTURE FUNDING

**Mrs. Linda Jeffrey:** My question is to the Minister of Public Infrastructure Renewal. In the 2008 budget, our government announced \$1 billion in new funding for municipal infrastructure. This new funding is desperately needed in high-growth communities like Peel and various other municipalities across this province. Obviously, we welcome this timely investment, because we know that these projects will help build stronger communities, boost our productivity and help stimulate job growth in the province.

Minister, can you tell this House how these investments in our infrastructure will not only help our cities, but help improve our economic advantage?

**Hon. David Caplan:** I'd like to thank the member for the question, because it is a very important one. As a part of our 2008 budget, our government launched a massive municipal infrastructure investment initiative: some \$450 million invested into communities, large and small, 243 of which are building, renovating and expanding local

infrastructure, including roads, water, sewers, community centres and other public facilities.

Communities across the province were asked to submit construction-ready and high-priority local infrastructure projects. Our government wanted to see projects under way in the upcoming construction season so that the benefits can be delivered both in the short term for employment and in the long term for economic and social benefits such as health, safety and social services. I'm very pleased to report to the member that in fact these announcements are not just simply that, but we are seeing shovels in the ground, cranes in the air, and the work has begun.

1120

**Mrs. Linda Jeffrey:** I want to thank the minister for addressing the question and for helping explain how these targeted investments in our infrastructure will help alleviate the economic challenges we're all facing.

Minister, what sorts of projects do you anticipate receiving requests for, and how will you prioritize these requests so we can get the highest and best results from these investments?

**Hon. David Caplan:** Blueprints are quickly turning into shovels in the ground and what will be a new fire station and emergency medical services facility in the town of Halton Hills, and I'll be pleased to join my colleague Mr. Arnott from across the way in Georgetown later this afternoon. It's a \$1.9-million MIII grant awarded to this municipality for the project that they identified as both construction-ready and high on the list of local infrastructure needs. I should tell you that this was only one project of many in Halton region, as Halton region received approximately \$10 million for key infrastructure projects right throughout the province.

Our government has a clear commitment to helping our municipal partners overcome their infrastructure challenges. This partnership shows that we can achieve our collective goal of a strong, resilient economy, continued growth and a better quality of life in communities right across this province. It's the budgetary policies of this government—

**The Speaker:** Thank you. New question.

## PESTICIDES

**Ms. Laurie Scott:** I'd like to follow up on my question from the other day to the Minister of the Environment regarding Bill 64. There's been much doubt cast over the lack of scientific proof to support your banning of the use of cosmetic pesticides. First, we heard from the Premier that municipalities could go above and beyond your legislation, then we heard that this wasn't true. For months we all heard from you and the Premier that it's about public health, but we've heard from your own officials that this isn't the case. We've heard on a daily basis that municipalities, Health Canada and health experts are seriously questioning the legislation. Minister, you said the Premier is wrong; Health Canada is wrong; municipalities are wrong; farmers are wrong; small busi-



nesses are wrong. In light of many of the experts who have legitimate concerns, will you agree to province-wide hearings on the regulations of this bill?

**Hon. John Gerretsen:** Let me just start off by thanking the member for her question and telling her that she is wrong. We are going to pass the most progressive ban on the use of pesticides in Ontario that has ever been in any province in this country, and indeed in North America. We're doing something much better than banning the use of cosmetic pesticides; we're also going to ban the sale of the pesticides across this province. There is no ban more effective than banning the actual sale of pesticides.

We have been consistent right from the very beginning in our platform last October. We basically said we're going to ban the use of cosmetic pesticides in the province of Ontario, and secondly, we're also going to have a consistent, one-level playing field across this province. That's why we want to make sure that the ban that's going to go into effect—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary?

**Ms. Laurie Scott:** "Consistent" isn't the word that I would use. You don't even seem to be interested in accepting the advice of experts across Ontario. Your own Ontario pest advisory council is suggesting five years' implementation. You have ignored that expert advice. On top of all the others you say are wrong, you are now saying your own advisory council is wrong. Minister, it's clear you haven't thought this legislation through; you're literally making things up as you go along. Ontarians and children deserve real, meaningful action from the environment minister. Some 9,500 smog-related deaths are estimated to occur this year. Many of these are children.

Minister, can we chalk this so-called pesticide ban up as another McGuinty photo op and get on to talking about the real environmental issues facing the province?

**Hon. John Gerretsen:** The bill is about one thing and one thing only, and that is to help our citizens, particularly the youngest citizens, in our province. We're banning the use of cosmetic pesticides so that they will not be subjected to it on their lawns, their front yards, their backyards, their playgrounds, their gardens. That's who it's really all about. We want to make sure that they will be able to play out in the fields and out on their lawns in the best possible way. This has been endorsed by the Suzuki Foundation and by many other organizations as well. We are concerned about the health of our young people, and the banning of this particular pesticide use and sale across the province is going to take the effect of that. We certainly hope that we can count on the support of both opposition parties to make sure that we're united on this front and to make sure that the people of Ontario get the best possible protection as far as their health is concerned.

#### INJURED WORKERS

**Mr. Paul Miller:** My question is to the Minister of Labour. I have received many communications from Mr.

Darrell Powell, official witness to the Senate Subcommittee on Population Health, and Mr. Peter Clare, who are in the west gallery this morning. Both are committed representatives of injured workers. Mr. Clare's recent e-mail to the minister asked for a meeting of the minister with the WSIB chair, Steve Mahoney, to discuss the Ministry of Labour's legislative framework of the Workplace Safety and Insurance Act, 1997, as well as the WSIB's interpretation and application of the WSI Act as it pertains to injured workers on accepted benefit claims. Has the minister discussed this communication and its contents with Mr. Mahoney?

**Hon. Brad Duguid:** No, to the best of my knowledge, I don't recall having a discussion with the chair of the WSIB on this particular communication, but I thank the advocates for injured workers for being here today and certainly look forward to the work they do in working with us to reduce workplace injuries across this province.

Working together with the WSIB, with our injured workers, we've been able to reduce workplace injuries by 20% over the last four years. That's 50,000 workers who would have suffered a workplace injury, and their families. I think we're making progress on this front, but the fact is that we still have more work to do. That's why we look forward to working with the members in the gallery and others in this area to improve even more.

**Mr. Paul Miller:** Once again, I don't think that was an answer to my question. The WSIB process that Ms. Mathers's brother, Jeff Thompson, experienced—Ms. Mathers is in the west gallery—is believed to have been a factor in the stress, emotional and psychological problems that led to his death.

As Mr. Clare stated in his e-mail: "It is a well-known fact, the WSIB's administration of the WSI Act, 1997, may in a lot of instances cause disparity, mental/psychological and emotional problems as secondary conditions due to having to deal with the WSIB process. I feel if Mr. Mahoney were to hear from the grassroots level the problems we face as injured workers, perhaps he may change some of the WSIB's internal policies on how injured workers are treated by Mr. Mahoney's WSIB staff...."

Will this minister commit right now in this House to meet today with Mr. Clare, Mr. Powell and Ms. Mathers to strongly request that Mr. Mahoney attend this meeting—

**The Speaker (Hon. Steve Peters):** Thank you, Minister?

**Hon. Brad Duguid:** Again to Ms. Mathers, Mr. Clare and Mr. Powell I really express, on behalf the government, our sympathies for the difficulties they've gone through. It's always difficult for us to hear of some of the pain and suffering that injured workers experience.

That's why we've added 200 additional health and safety inspectors, to ensure that we're doing all we can to prevent workplace injuries, because the best way we can help injured workers is to prevent the injuries from happening in the first place. That's what we're determined to do.



I would be more than happy to meet with these particular individuals and others as we move forward to work together to make workplaces healthier and safer across this province.

### AFFORDABLE HOUSING

**Mr. Yasir Naqvi:** My question is to the Minister of Municipal Affairs and Housing. Minister, I was dismayed to hear that more of my constituents could become homeless if the federal government does not renew funding for a national housing initiative. I understand that potentially 24 social agencies stand to lose funding when the homelessness partnership initiative expires.

Minister, as you can imagine, my constituents in Ottawa Centre are very concerned about this situation, especially when the most recent census indicates that 12% of the city of Ottawa's population lives on incomes that put it at risk of becoming homeless. You only need to realize that without the federal dollars, agencies will have to reduce programming and will be unable to assist those in need. As usual, the federal government has allowed those most in need to fall by the wayside, and many of my constituents are asking what our government is doing to help that 12% of the population.

Is this issue a concern to the minister, and can he please inform the House what he and the provincial government are doing to put pressure on the federal government?

1130

**Hon. Jim Watson:** I think the honourable member from Ottawa Centre is a true advocate for housing needs in his city and his community in Ottawa. I too share the member's concern with respect to the lack of progress that provincial and territorial ministers across the country have made when it comes to getting the federal government engaged again in the affordable housing strategy.

In the last budget, for instance, the Canadian Housing and Renewal Association said, "When Minister Jim Flaherty stood to deliver the Conservative government's ... 2008 budget today, he left 1.5 million Canadians in desperate housing need on the outside looking in."

It took provincial and territorial ministers two and a half years to get a meeting with the federal minister, and we have yet to secure an arrangement to ensure that RAP funding and homelessness initiative funding does not run out on March 31 next year. We need all members, regardless of political stripe, to help us convince the federal government that they should be back in the affordable housing business in partnership with us and municipalities—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Yasir Naqvi:** However, you and I both realize that providing supportive housing to those in need requires a partnership, one that includes a federal government that is ready, willing and able to respond to the needs of the constituents in Ottawa.

One of the more troubling situations is the rising need for supportive housing for those dealing with addictions. I'm sure the minister is aware that dealing with addiction is not a stand-alone issue. It requires a variety of financial, social and mental supports from all levels of government. It requires a comprehensive strategy that recognizes the complexity of the issue: that addiction is a heartbreaking disease and that tackling addictions is a community effort.

Minister, can you tell this House about our government's strategy to provide supportive housing for those tackling these difficult challenges in Ottawa?

**Hon. Jim Watson:** I was very pleased to be in Ottawa with Premier McGuinty just about a week and a half ago when he announced a \$5.5-million investment to provide assistance to those trying to conquer drug and alcohol addictions.

I want to thank the Minister of Health, because through his ministry, in the supportive housing program, we are in fact going to be providing over the next three years 1,000 supportive housing units that are going to be made available. Through the Ministry of Health and working in conjunction with housing providers throughout the province of Ontario, we've recognized that it's fine to build affordable housing, but those individuals that the member from Ottawa Centre spoke of who have addictions and challenges in their own lives need more than housing; they need a supportive environment. Through Minister Smitherman and through this member, we're delivering a drug rehab centre for young people in the city of Ottawa. We're very proud of that initiative and I know that the Minister of Health is planning on—

**The Speaker (Hon. Steve Peters):** Thank you very much.

### GASOLINE PRICES

**Mr. Tim Hudak:** A question for the minister responsible for consumers: Working families in Ontario are contemplating gas prices forecast to be \$1.40 per litre or more this summer. This past week, as you know, mortgage rates have increased, prices for basic foods like pasta are up 26%, and bread is up 10% or more since last year. And that's all on top of Dalton McGuinty's higher taxes, new user fees and higher hydro rates. Minister, what exactly is your plan to give a break to Ontario consumers this summer?

**Hon. Ted McMeekin:** To the Minister of Energy.

**Hon. Gerry Phillips:** I'd like to comment on the last point the member made, and that is, electricity prices. I mentioned earlier in the House our 20-year plan for affordable, reliable and environmentally sensitive electricity. Just over the last four years, for the industrial sector, electricity prices have gone up a little less than inflation, and for residential people, just slightly more than inflation. So we've been doing what we can for the consumer on electricity prices.

On gasoline prices, I would say to him that the primary responsibility for dealing with the gasoline



companies rests clearly with the federal government. It is the Competition Bureau. So if there's any issue around gasoline companies overcharging, it really would be the Competition Bureau—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary?

**Mr. Tim Hudak:** Obviously, the minister for consumer interests is doing nothing to give a break to Ontario consumers this summer and keeps passing it to the minister responsible for oil companies and hydro rate increases.

You know, Minister, while Dalton McGuinty and his entourage jet off to San Diego or use the government King Air plane to do a short hop from Toronto to Hamilton, Ontario families are paying more to put gas in their automobiles, to fill up their grocery carts or to power their homes. They are making significant sacrifices in this summer of increasing costs.

John Tory and the Ontario PC caucus have put forward a solid and thoughtful plan to eliminate the provincial sales taxes on accommodations and attractions so working families can have some quality time together this summer. Minister, will you support our plan to help Ontario families who are getting squeezed in Dalton McGuinty's Ontario?

**Hon. Gerry Phillips:** I go back to the point I made earlier in terms of Ontario families. We are working as hard as we possibly can to build the economy. I think the public is very wise. They understand that what we're dealing with here is that the price of oil has gone from about \$30 in 2003 to \$130 now. The US economy has gone soft. The Canadian dollar now is essentially at parity. In spite of these challenges, we are working as hard as we can on the economy. The unemployment rate is now, frankly, lower than when we assumed office because of the work that we've done with our private sector to create jobs. Our Premier is working very hard to attract industry to come to the province of Ontario.

I would just say, it's not been very helpful, frankly, for the federal minister to downplay Ontario. We would have been—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### DEVELOPMENT IN NIAGARA

**Mr. Peter Kormos:** A question to the Minister of Tourism. Why is the McGuinty government facilitating and accommodating the commercialization and privatization of the pristine parkland of the Niagara Parks along the Niagara River?

**Hon. George Smitherman:** I know that the honourable member will look forward to having an opportunity to speak directly to the Minister of Tourism about that. We have been in a position to strongly support the principle that Niagara is a region that obviously has tremendous economic capacity from the standpoint of tourism already, and accordingly, we think that it's very important to continue to work.

I will note to the honourable member that there has been a historic opportunity in this Legislature to demonstrate one's commitment to the greening of the province of Ontario, and not all members have participated equally in that. If the honourable member wishes to provide more specific information, we'll take a stab at a more specific answer.

**Mr. Peter Kormos:** Will the government then explain why it is permitting the Niagara Parks Commission to lease out the Miller's Creek Marina to a private operator, along with 45 acres of Niagara parkland to a developer for the goal of building condominiums and commercial shopping space? How is that consistent with the terms of reference of the Niagara Parks Commission?

**Hon. George Smitherman:** I do want to say to the honourable member that he first mentions a marina. I take that to be an existing operation and associated, presumably, with the operation of agencies is the responsibility to do all that is possible to generate revenue from available sources.

But as I mentioned in my earlier answer, there was an opportunity in this Legislature that all members had to demonstrate their strenuous commitment to the preservation of green space. We've created a greenbelt in the province of Ontario of 1.8 million square kilometres; very impressive, I think, insofar as that area was bigger than Prince Edward Island itself. On that very matter, not all members of the Legislature took the opportunity to demonstrate when it really mattered, when it really counted, as a matter of legislation, their strenuous desire to see green land protected. But it's nice to see the honourable member coming around.

#### OCCUPATIONAL HEALTH AND SAFETY

**Mrs. Maria Van Bommel:** My question is for the Minister of Labour. All around Ontario, farmers are hard at work in the fields at this time of year to put food on their tables and ours. As we know, the agricultural sector plays a very important role in the economy of this province, but we also know that working on a farm can be very dangerous, especially around large animals and even larger farm equipment. I'm proud to say that many of my constituents in Lambton-Kent-Middlesex are farmers. Most of them hire full-time or seasonal workers as they go through their agricultural year. They are acutely aware of the hazards that face them and their workers each and every day. Minister, can you tell us and our farmers what your ministry is doing to improve the health and safety of this important group of domestic farm labour?

1140

**Hon. Brad Duguid:** I want to begin by responding to the member for Lambton-Kent-Middlesex by just acknowledging the incredible work this particular member has done in representing the agricultural community.

I'm going to begin on a bit of a sombre note. Our ministry lost a very valuable member of our team over the weekend, and it's the member of our team who probably wrote the very information that I have in front of me



here today. Her name was Wilma Davis, and she was our briefing and issues coordinator in the Ministry of Labour. On behalf of our Ministry of Labour team and the entire Legislature, I just want to take this opportunity to express our condolences to her family.

The end of this month—June 28—marks the third year since our government extended the Occupational Health and Safety Act to farming operations. This regulation provides our agricultural community and workers within it—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mrs. Maria Van Bommel:** Thank you, Minister, and I know we all share in our sympathies for the family.

Residential farm workers are not the only ones, though, who work in the fields every day. Every year, more than 15,000 immigrant workers come to work on Ontario farms under the federal government's seasonal agricultural worker program. Many of those 15,000 come into Lambton-Kent-Middlesex to work on our tobacco, fruit and vegetable farms. Would the minister tell this House whether immigrant workers also have the same rights and protections that our domestic farm workers have?

**Hon. Brad Duguid:** Yes, absolutely, I can assure the member of the fact that foreign workers are treated the same way as all agricultural workers under the Occupational Health and Safety Act. When we extended the Occupational Health And Safety Act to farming operations, we gave agricultural workers the right to know about workplace hazards, the right to participate in workplace health and safety decisions and the right to refuse unsafe work. The results have been a reduction in workplace injuries and fatalities in the farming sector.

That being said, there are still workplace fatalities. There are still workplace injuries in the farming sector. I look forward as Minister of Labour, working with the Minister of Agriculture and the member opposite, who, as I said before, is an expert in agricultural issues, and working with our agricultural community to further reduce workplace injuries. It's something that's in all of our interests.

## ONTARIO ECONOMY

**Mr. Gerry Martiniuk:** My question is to the Minister of Revenue. Given the almost daily announcements of plant closures, job losses, rising gas and food prices, we understand that the government's projected revenues are already down by \$1 billion for this fiscal year. Minister, can you confirm how much current government revenues are down from your projections?

**Hon. Monique M. Smith:** This is a question for the Minister of Finance.

**Hon. Dwight Duncan:** The member would know that Q1 results will be published towards the beginning of July. At that time, we'll have a sense. What we can say is that because of this government's initiatives, Ontario is responding to the challenges in our economy better than

most economists predicted. The word they use is the resilience of our economy. If we didn't have a federal Conservative finance minister saying not to invest in Ontario and if we didn't have a federal government that continued to take advantage of the unemployed in your community, we wouldn't have all the challenges.

This government is responding with a prudent, balanced—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Gerry Martiniuk:** To paraphrase an old Buffalo TV question: Do you know where our billions are? It's surprising that the minister doesn't have the answer to this very simple question.

In order to balance the budget, the government has said it would find \$1 billion in inefficiencies. We understand that the revenues are already down by \$1 billion. The Premier has said he won't raise taxes but he won't cut services either. That means only one thing: a deficit, stealing from our children.

Minister, I ask you again, are the current government revenues down, and if so, by how much?

**Hon. Dwight Duncan:** As I say, the Q1 numbers, which we are not in possession of, will be available toward the beginning of July. But we do know where the money is. It's invested in skills training, which you voted against. It's invested in infrastructure, which is helping communities right across the province with short-term employment challenges and long-term productivity gains. You voted against that. It's invested in our health care system, and you and your colleagues want to take \$3 billion out of health care. That is where the money is.

Is the economy challenged? Absolutely. Do we need a federal partner? Absolutely. Do we need a federal finance minister who doesn't slam Ontario as a bad place to live? Absolutely. Do we need your help? Do our employers and working people need the support of the opposition to invest in Ontario? Absolutely.

I'm glad to see you here today. I'm glad you got a question. Join—

**The Speaker (Hon. Steve Peters):** Thank you very much, Minister.

## ENVIRONMENTAL ASSESSMENT

**Mr. Gilles Bisson:** My question is to the Minister of the Environment. We all know that the environmental assessment rules are going to be changing later this month. My question is simply this: What does this change mean for the proposed Blue22 high-speed train line between downtown Toronto and Pearson airport?

**Hon. John Gerretsen:** As the member has rightly pointed out, the environmental assessment rules with respect to rapid transit are going to change. We're basically going to have a regulation that says that environmental assessments with respect to transit should be finished in six months. The reason for that is that we want to get on with the 52 projects and the \$17.2 billion that we're investing on behalf of the people of Ontario to



make sure that there's more transit available. More and better transit for the people of Ontario, particularly in the Golden Horseshoe area, is going to mean a better environment for everyone.

We look forward to this member's and his party's full support for transit projects that will be environmentally sensitive and that will be good for the environment and good for the people of Ontario.

**Mr. Gilles Bisson:** Minister, you know that tens of thousands of people who live along the Georgetown rail corridor, from downtown Toronto to north Etobicoke, are concerned about how these new environmental assessment rules will affect them. They have patiently waited for the environment minister to decide on the terms of reference for an environmental assessment for the high-speed train that would follow those old rules. Why have those terms of reference languished on the minister's desk for more than a year?

**Hon. John Gerretsen:** Currently under the environmental assessment, there are terms of reference that are subject to it, there's the overall plan that's subject to it and then the individual projects are subject to it. The environmental assessment process with respect to transit is simply taking too long. We want to make sure that the public is engaged. We want to make sure that the public will have full input in the environmental assessment process, but we also want the process to come to an end somewhere along the line so that we can build those transit projects which will be good for the environment and good for the people of Ontario.

#### COMMITTEE SITTINGS

**Hon. Michael Bryant:** On a point of order, Mr. Speaker: I believe we have agreement—I'm seeking consent to put forward a motion concerning the Standing Committee on Estimates.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Hon. Michael Bryant:** I move that, notwithstanding the order of the House dated May 1, 2008, respecting the meeting times of committees, the Standing Committee on Estimates be authorized to meet today commencing at 3 p.m.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*Agreed to.*

1150

#### VISITORS

**Hon. Harinder S. Takhar:** On a point of order, Mr. Speaker: I know it's not a point of order, but the guests that you recognized on my behalf earlier—I want to recognize the icon of the Indian film industry, Dev Anand, and our Consul General, Satish Mehta.

**The Speaker (Hon. Steve Peters):** Thank you, and the minister does know that that was not a point of order.

#### PETITIONS

##### POPE JOHN PAUL II

**Mr. Jim Wilson:** I want to thank the good people of the congregation of St. James church in Colgan for sending this petition to me.

"Whereas the legacy of Pope John Paul II reflects his lifelong commitment to international understanding, peace and the defence of equality and human rights;

"Whereas his legacy has an all-embracing meaning that is particularly relevant to Canada's multi-faith and multicultural traditions;

"Whereas, as one of the great spiritual leaders of contemporary times, Pope John Paul II visited Ontario during his pontificate of more than 25 years and, on his visits, was enthusiastically greeted by Ontario's diverse religious and cultural communities;

"Therefore we, the undersigned, petition the Parliament of Ontario to grant speedy passage into law of the private member's bill An Act to proclaim Pope John Paul II Day."

I agree with this petition and I sign it.

##### HOME CARE

**M<sup>me</sup> France Gélinas:** I have a petition from SEIU and people from all over Ontario:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario government has continued the practice of competitive bidding for home care services; and

"Whereas the competitive bidding process has increased the privatization of Ontario's health care delivery, in direct violation of the Commitment to the Future of Medicare Act, 2004; and

"Whereas competitive bidding for home care services has decreased both the continuity and quality of care available to home care clients; and

"Whereas home care workers do not enjoy the same employment rights, such as successor rights, as all other Ontario workers have, which deprives them of termination rights, seniority rights and the right to move with their work when their employer agency loses a contract; ..."

They ask the assembly:

"(1) to immediately stop the competitive bidding for home care services so home care clients can receive the continuity and quality of care they deserve; and

"(2) to extend successor rights under the Labour Relations Act to home care workers to ensure the home care sector is able to retain a workforce that is responsive to clients' needs."

I fully support this petition, and will affix my name to it and send it with page Gregory.

## COMMUNITY SAFETY

**Mr. Yasir Naqvi:** “To the Legislative Assembly of Ontario:

“Whereas residents and community leaders in Ottawa want the government of Ontario to pass the safer communities and neighbourhoods act (SCAN) in order to rehabilitate problem properties that are used for criminal activity. Similar legislation is enacted in Manitoba, Saskatchewan, Nova Scotia and Yukon and recently passed in Newfoundland and Labrador; and

“Whereas the following community leaders have endorsed SCAN legislation: Ottawa Centre MPP Yasir Naqvi, city of Ottawa, the chief of the Ottawa police, Ottawa Police Service, Ottawa Police Services Board, Ottawa Neighbourhood Watch executive committee, Concerned Citizens for Safer Neighbourhoods, Eastern Ontario Landlord Organization, Friends and Tenants of Ottawa Community Housing, Hintonburg Community Association, Somerset Street Chinatown BIA and the Dalhousie Community Association;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“To pass the safer communities and neighbourhoods act, similar to the one enacted in Manitoba, Saskatchewan, Nova Scotia and Yukon, in order to rehabilitate problem properties in our neighbourhoods that are used for criminal activity.”

I fully agree with this petition, affix my signature and send it by way of page Doaa.

## HOSPITAL SERVICES

**Mr. Garfield Dunlop:** “To the Legislative Assembly of Ontario:

“Whereas the government-appointed supervisor of the Huronia District Hospital ... has recommended a merger of HDH with the Penetanguishene General Hospital.... ; and

“Whereas the supervisor recommended changes to the governance of the hospital to eliminate community memberships and the democratic selection and governance of the hospital board and directors based on an ideology and not on the wishes of the community;

“Whereas the supervisor has also recommended the splitting up and divestment of the mental health centre in Penetanguishene, creating uncertainty in the future of mental health beds and services; and

“Whereas hospital mergers and restructuring under the local health integration network can result in a loss in the total number of hospital beds and services provided to a community,

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“We call on the government of Ontario to:

“Protect the current level of beds and services at all sites in Midland and Penetanguishene; and

“Protect the community memberships and the democratic governance of the new hospital created by the merger of HDH and PGH.”

I'm pleased to sign this and give it to Charles to present to the table.

ONTARIO SOCIETY FOR  
THE PREVENTION OF CRUELTY  
TO ANIMALS

**Mr. Mike Colle:** I have a petition here from the Lawrence Veterinary Clinic and Janice Jones from Lindsay, Ontario, on animal protection.

“To the Legislative Assembly of Ontario:

“Whereas the Ontario Society for the Prevention of Cruelty to Animals Act has not been updated since 1919; and

“Whereas Bill 50 would require all veterinarians to report suspected abuse and neglect, protecting veterinarians from liability; and

“Whereas Bill 50 would allow the OSPCA to inspect roadside zoos;

“We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 50, entitled the Provincial Animal Welfare Act, 2008, to protect our animal friends.”

I support this petition and I give it to page Christopher G.

## LORD'S PRAYER

**Mr. Robert Bailey:** “To the Legislative Assembly of Ontario:

“Whereas the current Liberal government is proposing to eliminate the Lord's Prayer from its place at the beginning of daily proceedings in the Legislature....

“Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature.”

I affix my signature to that as well.

## HOSPITAL FUNDING

**Mr. Joe Dickson:** “To the Legislative Assembly of Ontario:

“Whereas the Central East Local Health Integration Network ... board of directors has approved the Rouge Valley Health System's deficit elimination plan....

“Whereas, despite the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history....

“Whereas one of the factors for the successful treatment of patients in the mental health unit is support from family and friends, and the distance to Centenary Health Centre would negatively impact on the quality care for residents of Ajax and Pickering; and

“Whereas it is also imperative for Rouge Valley Health System to balance its budget, eliminate its deficit



and debt and realize the benefits of additional Ontario government funding;

"We, the undersigned, therefore petition the Legislative Assembly of Ontario as follows:

"That the Rouge Valley Health System continue to provide the current level of service to our Ajax-Pickering hospital, which now serves the fastest-growing communities of west Durham; and

"That the Ajax-Pickering hospital retain the badly needed 20-bed mental health unit."

I affix my signature and pass this to Ellen.

#### LORD'S PRAYER

**Mr. Bill Murdoch:** I have petitions, as you can see, from all over my riding—they've been here for quite some time—on the Lord's Prayer. From the surprise motion that was given to us last Thursday that was passed and I would have agreed with, I feel that these people have the right to have their petition read in the House. It's to the Legislative Assembly of Ontario.

"Whereas the current Liberal government" was "proposing to eliminate the Lord's Prayer from daily proceedings in the Ontario Legislature....

"Therefore we, the undersigned, ask the Legislative Assembly of Ontario to preserve the daily recitation of the Lord's Prayer by the Speaker in the Legislature."

I appreciate what you're doing. I've also signed these.

#### WYE MARSH WILDLIFE CENTRE

**Mr. Bob Delaney:** It's a pleasure to support my colleague in Simcoe North with this petition for the Wye Marsh Wildlife Centre. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the Wye Marsh Wildlife Centre, located in the township of Tay, manages approximately 3,000 acres of environmentally sensitive land which is owned by the province of Ontario; and

"Whereas over 50,000 people visit the Wye Marsh Wildlife Centre each year; and

"Whereas over 20,000 students from across Ontario visit the Wye Marsh Wildlife Centre each year, receiving curriculum-based environmental education not available in schools; and

"Whereas the Wye Marsh Wildlife Centre receives no stable funding from any level of government;

"We, the undersigned, petition the province of Ontario to establish a reasonable and stable long-term funding formula so that the Wye Marsh Wildlife Centre can continue to operate and exist into the future."

It's a pleasure to sign this petition and to ask page Aaron to carry it for me.

#### HIGHWAY 35

**Ms. Laurie Scott:** "To the Legislative Assembly of Ontario:

"Whereas modern highways are economic lifelines to communities across Ontario and crucial to the growth of Ontario's economy; and

"Whereas the Ministry of Transportation has been planning the expansion of Highway 35; and

"Whereas Highway 35 provides an important economic link in the overall transportation system, carrying commuter, commercial and high tourist volumes to and from the Kawartha Lakes area and Haliburton;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Liberal government move swiftly to complete the four-laning of Highway 35 after the completion of the final public consultation."

It's signed by many people from my riding, and I'm handing it over to page Rachele.

#### ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

**Mr. Charles Sousa:** This is a petition to support Bill 50, the Provincial Animal Welfare Act. The petition reads:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Society for the Prevention of Cruelty to Animals Act has not been updated since 1919; and

"Whereas Bill 50 would require all veterinarians to report suspected abuse and neglect, protecting veterinarians from liability; and

"Whereas it would allow the OSPCA to inspect and investigate places where animals are kept; and

"Whereas the bill would prohibit the training of animals to fight; and

"Whereas Bill 50 would allow the OSPCA to inspect roadside zoos;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 50, entitled the Provincial Animal Welfare Act, 2008, to protect our animal friends."

I have signed the petition, and I provide it to Murray.

1200

#### HOSPITAL FUNDING

**Mr. Garfield Dunlop:** "Petition to the Ontario Legislative Assembly:

"Western Mississauga ambulatory surgery centre:

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures

that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I'm pleased to sign that and give it to Christopher to present to the House.

### GRAFFITI

**Ms. Laurel C. Broten:** "To the Legislature of Ontario:

"Whereas graffiti creates a nuisance that can adversely affect property values, business opportunities and the enjoyment of community life;

"Whereas graffiti promotes a sense of disrespect for private property, and a perception that laws protecting public and private property can be disregarded with impunity;

"Whereas it is important that everyone do their part in keeping both public and private properties free of graffiti in order to maintain community pride and confidence;

"Whereas the quick removal of graffiti from walls, fences and other structures is critical to maintaining community cleanliness and beauty; it is always true that the prevention is the best policy;

"Accordingly we, the undersigned, petition the Legislature:

"To impose certain conditions on the sale of spray paint, broad-tipped marker pens, paint pens, glass-cutting tools and glass-etching tools or instruments of graffiti and to make it be unlawful for any person, other than a parent, legal guardian, school teacher or law enforcement officer in the performance of duty, to sell, exchange, give, deliver, loan, or otherwise furnish or permit to be sold, exchanged, given, delivered or loaned any prohibited graffiti material to any minor unless the minor is accompanied by their parent or legal guardian."

I agree with this petition. I'll be adding my name to it.

### HOSPITAL FUNDING

**Mr. Bill Murdoch:** "To the Legislative Assembly of Ontario:

"Whereas Grey Bruce Health Services, Markdale hospital is the only health care facility between Owen Sound and Orangeville on the Highway 10 corridor;

"Whereas the community of Markdale has been promised a new state-of-the-art hospital in Markdale;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care announce as soon as possible its intended construction

date for the new Markdale hospital and ensure that the care needs of the patients and families of our community are met in a timely manner."

I've also signed it.

### POWER PLANT

**Mrs. Julia Munro:** "To the Legislative Assembly of Ontario:

"Whereas in our understanding the Ontario Power Authority, under a directive from the Honourable Gerry Phillips, Minister of Energy, is planning to select a private developer to build and subsequently own an expensive, fossil-fuel-burning, large-scale power plant in York-Simcoe to address speculative future demand;

"We, the undersigned, respectfully ask the McGuinty government to be on the right side of history by rescinding this outdated and outmoded decision by placing the economic, environmental and health concerns of Ontarians first, rather than the corporate interests of a known polluting industry;

"Furthermore, we request that contemporary alternatives be sought and a renewed emphasis on energy conservation be launched."

### WYE MARSH WILDLIFE CENTRE

**Mr. Garfield Dunlop:** This is another group of about 1,000 signatures on the Wye Marsh Wildlife Centre.

"To the Legislative Assembly of Ontario:

"Whereas the Wye Marsh Wildlife Centre, located in the township of Tay, manages approximately 3,000 acres of environmentally sensitive land which is owned by the province of Ontario; and

"Whereas over 50,000 people visit the Wye Marsh Wildlife Centre each year; and

"Whereas over 20,000 students from across Ontario visit the Wye Marsh Wildlife Centre each year, receiving curriculum-based environmental education not available in schools; and

"Whereas the Wye Marsh Wildlife Centre receives no stable funding from any level of government;

"We, the undersigned, petition the province of Ontario to establish a reasonable and stable long-term funding formula so that the Wye Marsh Wildlife Centre can continue to operate and exist into the future."

I'm pleased to sign that and give it to my good friend Murray Fallis, who has been a great page here, to present to the table.

### HOSPITAL FUNDING

**Mr. Bob Delaney:** I have a petition to the Ontario Legislative Assembly. It's signed by a number of people, generally in the Erin Mills area of Mississauga. It reads as follows:

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital



project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

“Whereas ‘day surgery’ procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to ‘day surgery’ procedures that comprise about four fifths of all surgical procedures performed.”

I’m pleased to sign and to support this petition and to ask page Christopher to carry it for me.

**The Speaker (Hon. Steve Peters):** Thank you. The time for petitions has ended. This House stands recessed until 3 p.m. this afternoon.

*The House recessed from 1206 to 1500.*

## MEMBERS’ STATEMENTS

### BARB COWIESON

**Mr. Robert W. Runciman:** On a point of order, Mr. Speaker: I understand that under the rules, as leader of the official opposition I’m unable to participate in members’ statements, but I understand we have unanimous consent for me to participate today?

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

**Mr. Robert W. Runciman:** Thank you very much, Speaker.

When I arrived at the Legislature way back in 1981, I met a lady who had already been at Queen’s Park for seven years, not as an MPP but as a member of the PC caucus administration team. That lovely lady, Barbara Cowieson, is still here. In fact, she’s sitting in the members’ gallery today.

Barb is currently serving as director of PC services—she’s been in that role since 1995—but has regrettably decided to move on and explore new challenges. In an amazing 34 years at the park—even more than Norm Sterling—Barb has seen a lot of changes, from manual typewriters to high-speed Internet, all three parties serving in government and a parade of passing faces in the Legislature.

Barb was born in Cape Breton—I won’t mention the year—and moved to Toronto at the tender age of 18. She’s led a very interesting life since becoming an Ontarian. I’ll just touch on a few aspects.

Barb’s a biker. She owns her own chopper, and no, she doesn’t belong to any gangs. She and her husband,

Bob, are avid sailors. They sail out of Kingston, John. When they bought their boat, a 30-footer, Bob thought he could be the captain, but he quickly found out that Barb was the admiral. Barb’s owned and managed rental properties, including a 15-unit apartment building. She’s even helped to gut and rebuild several properties—and on and on.

Barb has had a busy, exciting and rewarding life, but at the end of the day her first priority has always been her family, her two sons, Scott and Ryan, and hubby, Bob.

Barb, we’re going to miss you around this place. You’ve made an enormous contribution to your party and your province. I know I speak on behalf of all members and staff of the three parties represented in this place. Best of luck, thank you and God speed.

## CHINESE CANADIAN HEAD TAX REDRESS DAY

**Mr. Peter Tabuns:** This coming Sunday, the Chinese community will be marking Head Tax Redress Day. In 2006, I filed a resolution in this chamber to have Ontario recognize June 22 as Chinese Canadian Head Tax Redress Day in Ontario. It was passed with all-party support on October 4, 2006.

We were honoured by the presence of the Chinese community in the chamber. The Chinese Canadian community has played a pivotal role in making Ontario a more prosperous and just society.

The tireless effort of the community at large, and the formal head tax redress campaign, which turns 24 years old this year, to ensure a formal apology for the Chinese Exclusion Act and redress for the head tax has helped turn the page from a dark chapter in Canada’s history.

Head tax survivors, their descendants, activists from the Chinese Canadian National Council and the Ontario Coalition of Head Tax Payers and Families have pursued resolution to an injustice. June 22 also provides the opportunity to express the tremendous debt we feel towards the Chinese Canadian community for its contribution in building Ontario’s prosperity.

Thanks to all those who have and continue to fight for justice and fairness.

## PEEL’S ABORIGINAL CELEBRATION

**Mr. Kuldip Kular:** On June 7, I was honoured to attend Peel region’s first annual celebration of aboriginal culture and heritage on behalf of my colleagues. A Gathering: Peel’s Aboriginal Celebration was sponsored by Region of Peel Children’s Services and hosted at Sheridan College’s Davis campus. This provincially funded event was a great success, attracting an audience of some 800 visitors and guests and almost 50 performing groups and vendors.

The theme of this year’s celebration, “Seven Grandfather Teachings,” was imparted through First Nations’ drumming and dancing, Metis fiddlers, Inuit throat singers, storytellers and the traditional teachings of

elders. The celebration succeeded in entertaining a diverse audience and, importantly, in raising the awareness of Peel residents, aboriginal and non-aboriginal, about the rich culture and heritage of Canada's first people and the challenges they face.

The aboriginal community in Peel region has experienced immense growth in recent years. Strong growth presents new challenges. Many aboriginal families experience gaps in child services and programs that leave them disadvantaged when it comes to education. This government's Best Start program is crucial to improving their chances for a stronger education because it helps to close these gaps in services and programs for children at a critical age in their development.

Peel's Aboriginal Celebration deserves recognition for its value in educating the public and offering the opportunity for outreach and engagement with the aboriginal community. I congratulate the organizers on their great success and look forward to attending next year's celebration.

#### BRUCE-GREY-OWEN SOUND AWARD WINNERS

**Mr. Bill Murdoch:** Today I want to acknowledge the accomplishments of people from my riding of Bruce-Grey-Owen Sound on the national and provincial stage.

On Tuesday, June 9, I had the privilege of meeting with three students who competed at the Canada Wide Science Fair in Ottawa. Megan Schlorff of Hanover won two gold medals and also received the Actuarial Foundation of Canada Award for her project entitled Let the River Flow, where she investigated the Saugeen River watershed. Jenna Schlorff of Hanover won two silver medals and three other awards for her project Think Fast. Jen investigated the difference in reaction time and stopping distances of drivers following LED-brake-light-equipped vehicles versus standard incandescent brake tail lights. Laurissa Christie of Owen Sound won the bronze for her project, What's the Buzz?, which investigated the recent problem of honey bee colony collapse in North America. Josie Mielhausen of Lion's Head earned an honourable mention, while Vaibhavi Solanki of Hanover tested her first-ever science project at the Canada Wide Science Fair.

I would also like to acknowledge a local brewery, Neustadt Springs Brewery, whose Neustadt Scottish Pale Ale was named the Speaker's selection winner at the first-ever Speaker's craft beer tasting competition held here at Queen's Park on June 3. This deep, golden, full-flavoured beer, brewed in traditional Scottish style, beat out 46 other Ontario beers and will now be available at the Legislative Assembly of Ontario.

#### ONTARIO WINE WEEK

**Mr. Bruce Crozier:** Today I rise to remind everyone that the third week in June is Ontario Wine Week. It's the week that was set aside by my private member's bill,

passed some three years ago, in which we celebrate the success and the taste of Ontario wines.

We have four great wine regions in the province of Ontario, being Prince Edward county, of course the Niagara Peninsula, Pelee Island and Lake Erie North Shore. From those four areas, we have wines that are getting better and better every year.

Today is when the Ontario Wine Awards will be announced by the Wine Council of Ontario, so we look forward to singling out some of those special wines that are worthy of that award.

What I want to encourage you to do—and I know, Speaker, that you're a great supporter of this—is to, beyond just this week, in the rest of the summer and the rest of the year, keep in mind the great wines that are produced in Ontario. This summer, take a little time: Tour Prince Edward county, tour the Niagara Peninsula, and come on down into the Essex area and tour the Lake Erie North Shore and maybe go to Pelee Island. Enjoy some great Ontario wines this summer.

#### SCI-TECH ONTARIO

**Mr. Robert Bailey:** It was my pleasure to have two students from my riding of Sarnia-Lambton here last week as part of the Sci-Tech Ontario presentation. Christopher Chopcian from Hanna Memorial elementary school and Llew Falla from Northern Collegiate Institute and Vocational School were both here to demonstrate their award-winning submissions.

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Christopher's project was entitled Control Innovations for Quadriplegics, and it was a mobile human-machine interface that is designed to enable people with spinal injuries to control different appliances just with a nod of their head. For this invention, Christopher won two gold medals, something that is very rare at the national science fair.

Llew's project was called CH<sub>4</sub> Optimization of Biowaste via Microbial Fuel Cell Control. This was a green energy project in which he designed a microbial fuel cell that shows it is possible to simultaneously generate methane gas and electricity. This would show great promise in creating both a carbon-neutral and a renewable energy system. He will be attending an international science fair with his project.

I would like to congratulate both Christopher and Llew. Their parents, friends and teachers should be very proud of them.

#### POLO FOR HEART

**Ms. Helena Jacek:** This weekend I will be attending Polo for Heart, Canada's largest and most prestigious international charity polo tournament, in my riding of Oak Ridges-Markham. Taking place at the Gormley Polo Centre, it will feature various fun events, including the pony parade, and will be highlighted by polo matches



between the Toronto Polo Club and visiting teams from around the world.

Polo for Heart originated in the 1970s when Colonel Michael Sifton of the Toronto Polo Club partnered with the heart action committee to present a polo series for charity. The charitable tournament raised \$25,000 in 1979 and has since raised over \$3.5 million for heart disease and stroke research.

The beneficiaries of this exciting three-day event are the Southlake Regional Health Centre's regional cardiac care program and the Heart and Stroke Foundation of Ontario's Chase McEachern tribute fund. The Chase McEachern fund raises funds to provide automated external defibrillators, or AEDs, to the public, situated in public places and buildings across Ontario.

In addition, I wish to thank this year's chairperson, Gabrielle Spanton, and her dynamic team, who have worked tirelessly to put the event together. It is expected Polo for Heart will raise an estimated \$250,000 in proceeds this year. I have attended this event several times in the past—it is wonderfully colourful and exciting, and we're praying for good weather. Best wishes to Polo for Heart this weekend.

#### EVENTS IN MISSISSAUGA SOUTH

**Mr. Charles Sousa:** I rise today to talk about some great events happening on the waterfront this summer in my riding of Mississauga South.

This past weekend, many local volunteers helped to host the annual Mississauga Waterfront Festival. The festival has become a highly anticipated tradition in our community, offering three days of headline musicians and bands. The many events are welcomed by children, parents and local businesses alike.

It is worthy to note the generosity of the organizers, volunteers and sponsors who provide outstanding charity during the festival. This year, through their Sponsor a Child program, approximately 4,000 kids and parents received free admission, food vouchers and tickets for carnival rides.

I would like to extend my thanks and congratulations to the chair of the waterfront festival, Pat Anderson, and all the volunteers who make the festival a resounding success year after year, rain or shine.

There is plenty to look forward to on Mississauga's waterfront this summer. On Canada Day, I invite everyone to participate in our Paint the Town Red celebrations. Great home-grown local bands and school groups will be performing, and of course there will be plenty of fireworks.

We also look forward to the annual Buskerfest in mid-August, where 20 buskers will perform their unique talents in this street festival. Then, in early September, the waterfront will host the Southside Shuffle Blues and Jazz Festival.

The waterfront in Mississauga is a real gem, and it's great events like these that truly make it a destination

spot. I encourage all Ontarians to consider making a trip to Mississauga's waterfront village festivals this summer.

#### WESTFEST 2008

**Mr. Yasir Naqvi:** I'm pleased to rise in the House today and tell members about Westfest 2008, a five-day festival that recently took place in my riding of Ottawa Centre.

Between June 11 and 15, Richmond Road in my riding was closed to celebrate Westfest 2008, the Westboro village's festival of music, art and life. Since the inaugural one-day festival just five short years ago, Westfest has become one of Ottawa's main summer festivals and includes a diverse celebration of music, art, literature, dance, performance arts and theatre.

One of the remarkable things about Westfest is that it is 100% free of charge and 100% of the profits from the artists' merchandise is returned to the artists. In addition, Westfest takes pride in being environmentally friendly, and this year introduced compostable beer cups made from corn recycling containers.

This year, I was pleased to have the opportunity to visit Westfest and join with hundreds of community members in the Celebration of Canadian Aboriginal Women in Music. I would like to congratulate Elaina Martin, founder and executive director, along with all the volunteers for their hard work and dedication to the success of this event.

#### ANNUAL REPORT, OMBUDSMAN

**The Speaker (Hon. Steve Peters):** I beg to inform the House that I have today laid upon the table the 2007-2008 Annual Report of the Ombudsman.

#### REPORTS BY COMMITTEES

##### COMITÉ PERMANENT DE LA POLITIQUE SOCIALE STANDING COMMITTEE ON SOCIAL POLICY

**M. Shafiq Qaadri:** Je demande la permission de déposer un rapport du Comité permanent de la politique sociale et je propose son adoption.

I beg leave to present a report from the Standing Committee on Social Policy and move its adoption and send it to you by way of a nameless page.

**The Clerk-at-the-Table (Ms. Lisa Freedman):** Your committee begs to report the following bill as amended: Bill 64, An Act to amend the Pesticides Act to prohibit the use and sale of pesticides that may be used for cosmetic purposes / Projet de loi 64, Loi modifiant la Loi sur les pesticides en vue d'interdire l'usage et la vente de pesticides pouvant être utilisés à des fins esthétiques.

**The Speaker (Hon. Steve Peters):** Shall the report be received as adopted?

Agreed? All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

The bill is therefore ordered for third reading.

*Report adopted.*

## INTRODUCTION OF BILLS

### LAKE SIMCOE PROTECTION ACT, 2008

#### LOI DE 2008 SUR LA PROTECTION DU LAC SIMCOE

Mr. Gerretsen moved first reading of the following bill:

Bill 99, An Act to protect and restore the ecological health of the Lake Simcoe watershed and to amend the Ontario Water Resources Act in respect of water quality trading / Projet de loi 99, Loi visant à protéger et à rétablir la santé écologique du bassin hydrographique du lac Simcoe et à modifier la Loi sur les ressources en eau de l'Ontario en ce qui concerne un système d'échange axé sur la qualité de l'eau.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The minister for a short statement?

**Hon. John Gerretsen:** I'll wait until ministerial statements.

## MOTIONS

### COMMITTEE SITTINGS

**Hon. Monique M. Smith:** I move that the following committees be authorized to meet during the summer adjournment, in accordance with the schedule of meeting dates agreed to by the three party whips and tabled with the Clerk of the Assembly, to examine and inquire into the following matters:

The Standing Committee on Estimates to consider the estimates of certain ministries;

The Standing Committee on Finance and Economic Affairs to review the Ontario health premium, in accordance with section 29.2 of the Income Tax Act;

The Standing Committee on General Government to consider Bill 90, An Act to enact the Colleges Collective Bargaining Act, 2008, to repeal the Colleges Collective Bargaining Act and to make related amendments to other Acts;

The Standing Committee on Government Agencies to conduct reviews of agencies, boards and commissions pursuant to standing order 107(f);

The Standing Committee on Justice Policy to consider Bill 50, An Act to amend the Ontario Society for the Prevention of Cruelty to Animals Act;

The Standing Committee on Public Accounts to consider the reports of the Auditor General;

The Standing Committee on Social Policy to review the Personal Health Information Protection Act, 2004, pursuant to subsections 75(a) and 75(b) of the act, and to consider Bill 77, An Act to provide services to persons with developmental disabilities, to repeal the Developmental Services Act and to amend certain other statutes; and

That the committees be authorized to release reports by depositing a copy of any report with the Clerk of the Assembly during the summer adjournment, and that upon resumption of the meetings of the House, the chairs of such committees shall bring any such reports before the House in accordance with the standing orders.

**The Speaker (Hon. Steve Peters):** Ms. Smith has moved that the following committees be authorized to meet during the summer adjournment in accordance with the schedule of meeting dates agreed to by the three party whips—

**Interjections:** Dispense.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

Is the pleasure of the House that the motion carry? Carried.

*Agreed to.*

1520

## STATEMENTS BY THE MINISTRY AND RESPONSES

### ENVIRONMENTAL PROTECTION

**Hon. John Gerretsen:** Today, I'm honoured to rise and introduce the proposed Lake Simcoe Protection Act. Let me begin by reminding members of the commitment that Premier McGuinty made to protect Lake Simcoe nearly one year ago; we're delivering on that commitment.

I'd like to quote from Stephen Leacock, one of Ontario's literary greats who, of course, lived on Lake Simcoe in Orillia. He once wrote:

"The islands of the Aegean Sea have been regarded for centuries as a scene of great beauty ... the Mediterranean coast of France and the valleys of the Pyrenees are a charm to the enchanted eye.... But to my thinking, none of those will stand comparison with the smiling beauty of the waters, shores and bays of Lake Simcoe."

That smiling beauty is part of the great legacy of this province. We must honour and preserve that legacy so that it will be there for our children and their children, and for generations of Ontarians to enjoy.

But these waters haven't always been treated with respect. For close to 200 years, Lake Simcoe has been under stress. Human activities have significantly affected



the watershed, the landscape has been changed, water quality has been degraded and shoreline vegetation, wildlife and natural systems have been altered during that time. To that, we add the pressures of population growth, urban and rural development, new invasive species and, of course, climate change.

Our government cannot and will not allow that damage to continue unabated. We have seen some signs of modest recovery in recent years, but strong actions are still needed to restore the natural balance of the Lake Simcoe ecosystem. And that's what we aim to do by bringing forward new, proposed legislation that would set the framework for developing a long-term protection plan for the lake and its watershed.

It will include regulating protection of critical shoreline areas, including its rivers, creeks and wetlands, to protect water quality, and it will provide the authority to create the new Lake Simcoe protection plan and set the scope of that plan. This plan will directly affect key decisions involving activities that may cause harm to the ecological health of the watershed. The plan would allow us to adapt our efforts to respond to new challenges like climate change and invasive species, and it would ensure the promotion of environmentally sustainable land use and development practices.

Our government will also be investing \$20 million over the next four years for stewardship, science and monitoring actions, and for implementing the long-term plan to protect Lake Simcoe. Farmers are and have been doing good work to reduce the amount of phosphorus going into the lake, but more needs to be done, and we will help them.

A large part of our \$20-million funding commitment is earmarked for enhancing existing funding programs for implementing the best agricultural practices. This will help farmers with the cost of putting in place measures to reduce agricultural impacts on the lake, and we will consult with farmers on the best ways to do this.

What we are proposing today will build on the work that was already done some 20 years ago. We have already put in place new interim limits on phosphorus discharges for sewage plants. We've appointed a Lake Simcoe science advisory committee, which in fact is meeting today on Georgina Island with the aboriginal community. We've also established a stakeholder advisory committee, and today, I know that they're meeting here for the second time at Queen's Park. I want to make special mention of the members of the committee who are joining us in the House today. We have Gayle Wood, the committee chair and CAO of the Lake Simcoe Region Conservation Authority. Gayle is with us in the gallery. I especially want to thank the Lake Simcoe conservation authority for the leadership that it has taken over the last 20 years through the Lake Simcoe environmental management strategy, on which much of the new bill and plan will be based.

Also with us are Jessica Annis of BILD; Gary Gregoris of Mattamy Homes; Mayor Harry Hughes of Oro-Medonte; Karen Kraft Sloan, former Canadian

ambassador to the UN for the environment; and Claire Malcomson, coordinator of Campaign Lake Simcoe. I notice in the public galleries there are a number of individuals who have worked very hard and are very much interested in the lake as well.

We have consulted extensively with Ontarians through the Lake Simcoe discussion paper already. I personally attended the workshops and public information forums that were held in both Barrie and Newmarket. We will continue to work with Ontarians to develop the plan.

People are truly passionate about protecting our lakes and waterways. They know how important our fresh-water resources are to life in Ontario. More than 350,000 people live in the Lake Simcoe watershed, and in the summer that number grows to around 400,000. Around \$200 million a year is generated for the local economy through tourism, fishing and boating. Eight communities get their drinking water from the lake. An estimated \$300 million is generated by agricultural production each and every year. The Lake Simcoe watershed is also home to 58 species of fish and 65 species that are at risk.

There is no question that these waters are essential to our people's health, to our success and to our overall quality of life. We have a duty to the future to ensure that we leave our environment in better shape than we found it, and that's what we plan to do through the act and its plan.

Today we are taking an important step forward to protect and sustain the waters, the ecosystem and the beauty of Lake Simcoe.

I urge all members to support our proposed legislation and look forward to the debate that undoubtedly will occur.

**The Speaker (Hon. Steve Peters):** Statements by ministries? Responses?

## ENVIRONMENTAL PROTECTION

**Mr. Garfield Dunlop:** I'm very happy to respond today to the minister on the proposed Lake Simcoe Protection Act and the plan that will follow it. I'm going to be sharing my time with Mrs. Munro. We both have around 100 kilometres of Lake Simcoe shoreline in our ridings, so it's not hard to tell how important this legislation is to a lot of the members on this side of the House.

To the minister, first of all, you know that both the greenbelt legislation and the Oak Ridges Moraine Conservation Act put a lot of additional pressure on different parts of the lake, particularly in the growth areas around the city of Barrie etc. What is not mentioned here today is the 25-year intergovernmental action plan, or the growth plan for Simcoe county, which calls for a minimum of approximately 250,000 people to be added to the county of Simcoe over the next 25 years. Many of those people will be in that watershed, and of course, that is a pressure that's really not mentioned in your opening statement; you dealt more with agriculture in your



comments. The growth of the area is a huge concern to all of us.

Although you didn't mention my name—you've mentioned it to me personally—we passed the Lake Simcoe resolution back in November 2006, which was unanimously passed by the House in private members' hour. We called for action by the government. I was pleased to see in the provincial election that our party came out with a strategy and that the government promised an act, and we're here today with that. On top of that, we've also got the federal government at the table with \$30 million that they've committed to specific projects around the lake over four years.

I don't think there's any question that there's been a lot of pressure on all political bodies, whether at the provincial level, the municipal level or the federal level, to take action on what we would call a gem in the centre of our province. If we look at a map of Ontario and we look at the huge growth we've seen around the province in the last 30 or 40 years, right above it all is Lake Simcoe. It's a shallow lake to begin with and there are indeed extreme pressures on it. We certainly hear from cottage associations and ratepayer associations all the time.

1530

I look forward to the debate on this bill. I look forward to hearing from all of the different stakeholders. I know as you put a plan together over a period of four years—it will take at least four years to put that plan together. That's what I'm gathering from your comments today. We look forward to that debate.

I also want to thank a number of the organizations: First of all, Ladies of the Lake—I don't know if any of those girls are here today, but their calendar is available for 2009.

**Interjection:** They're here.

**Mr. Garfield Dunlop:** I'm just saying that your calendar is available for 2009.

—Rescue Lake Simcoe Coalition, Lake Simcoe Region Conservation Authority—Gayle was mentioned here already—Environmental Defence and Ontario Nature.

I hope together we can build this act into something very special and protect Lake Simcoe for many years in the future—in fact, forever.

**Mrs. Julia Munro:** I have a couple of minutes in which to respond to today's announcement. As my colleague has mentioned, it is something that is near and dear to us. I want to recognize the many friends and neighbours here in the gallery today who I have worked with over the years in recognizing how important it was.

A few years ago, it was a question of making sure that the LSEMS agreement was signed once again. That has been something that each government has come up with on a five-year basis. But today we're looking at monitoring for four years. In the moments that I have to speak, I would just raise some rhetorical questions, obviously, at this point in the debate. The question of taking action is one that many of my constituents want to

see happen right now. Four years is a long time. The \$20 million is a good amount of money to be putting on that. The fear of creating more bureaucracy is one that I know is a concern.

The other concern is the competition from other pieces of legislation. This government has passed Places to Grow, the greenbelt and the source water protection. These tend to overlay much of this same geographic area that we're talking about when we talk about the Lake Simcoe watershed. So I think it's most important for everyone to understand the complexity of these various pieces of legislation, and which one then has supremacy over the others.

I think as time passes, we will be very interested in seeing the details of this legislation, and want certainly to work towards the betterment of Lake Simcoe.

## ENVIRONMENTAL PROTECTION

**Mr. Peter Tabuns:** I'm addressing the comments of the minister. As we know, the health of Lake Simcoe has been steadily declining for many years. We know that Lake Simcoe's annual phosphorus inputs are two to three times the natural level and that this is causing excessive algae growth and robbing the lake of oxygen, affecting the cold-water fish community, wildlife and overall water quality. We know the decline in water quality is primarily due to pollution from land-based rural and urban sources. In other words, human activity is the primary cause.

We should thank citizens who have spent hours and years in pushing governments to finally act. This is enabling legislation, and the cliché that's so common around here—but a reality—is that the devil will be in the details. The plan is to be developed over the next nine months. The crucial question is this: Will this act lead to actions that will effectively address the serious environmental challenges faced in the region, or will it end up simply being window dressing, a narrowly focused water purification bill and a half measure on the environment?

There are at least five concerns the government needs to address to reverse the environmental decline of Lake Simcoe:

First, local groups have expressed concern that the province's strategy for Lake Simcoe must be comprehensive. The government's focus on protecting water quality and quantity effectively says that this issue is about water and not about land. But land use in the area hugely affects water quality. It was made clear in public consultations that protecting green space and developing appropriate land use policies are crucial to the protection of Lake Simcoe. This act has to adequately recognize that in order to actually deliver the change and the results that we need.

Second, local groups are concerned that the strategy will address the symptoms, not the causes. The government's discussion paper talks a lot about phosphorus levels but not enough, according to Campaign Lake Simcoe, about the need to protect key natural heritage



and agricultural areas and curb ill-planned urban growth along the lake.

Third, there is a concern that adequate funding to implement the plan may not be made available. I know that an amount was pledged in the statement by the minister. Whether that is adequate to clean up the lake is not clear.

Fourth, there is a concern about who will govern and oversee the implementation of the plan. Will the government of Ontario play a strong role to counterbalance the development industry?

Fifth, and related to the last question, will the strategy be bold and inclusive, or will it end up offering loopholes to powerful interests? Specifically, will all large-scale developments be covered by the plan? Will the plan allow grandfathering of large-scale development projects already in progress?

In his comments, the minister talked about the impact of climate change on Lake Simcoe. I think it's incumbent on the minister and his government to bring forward a climate change plan for this Legislature to consider.

On a separate note: Frankly, you can't take care of the lake unless you have a climate change plan that's actually going to deliver the goods.

The government has to seriously consider these points that I've made, these questions and concerns, if it wants to move forward with a bill that is actually going to preserve the health of Lake Simcoe.

#### ORDERS OF THE DAY

**The Speaker (Hon. Steve Peters):** Orders of the day.

**Hon. Monique M. Smith:** Order G64, Mr. Speaker.

**Mr. Peter Kormos:** On a point of order, Mr. Speaker: It's not in order to call G64, it only just having been reported to the House and having been amended in committee.

**The Speaker (Hon. Steve Peters):** That is a point of order. The bill was amended at committee; therefore, it needs to be reprinted in order for it to be debated.

Orders of the day?

**Hon. Monique M. Smith:** Mr. Speaker, I move adjournment of the House.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

*The House adjourned at 1537.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

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Brownell, Jim (L)	Stormont–Dundas–South Glengarry	
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Craiton, Kim (L)	Niagara Falls	
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Dhillon, Vic (L)	Brampton West / Brampton-Ouest	
Dickson, Joe (L)	Ajax–Pickering	
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<b>Duguid, Hon. / L'hon. Brad (L)</b>	Scarborough Centre / Scarborough-Centre	
<b>Duncan, Hon. / L'hon. Dwight (L)</b>	Windsor–Tecumseh	
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Khalil Ramal, Laurie Scott, Peter Shurman  
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of Ontario**

First Session, 39<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Première session, 39<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**



**Wednesday 18 June 2008**

**Mercredi 18 juin 2008**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
Deborah Deller

Greffière  
Deborah Deller



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 18 June 2008

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 18 juin 2008

*The House met at 0900.  
Prayers.*

## MEMBERS' EXPENDITURES

**The Speaker (Hon. Steve Peters):** I beg to inform the House that I have laid upon the table the individual members' expenses for 2007-08. Members will find copies in their desks.

## ORDERS OF THE DAY

### ORDER OF BUSINESS

**Hon. Michael Bryant:** Speaker, I believe we have agreement; I seek unanimous consent for the business of the House to be arranged pursuant to a motion I could read now or read after.

**The Speaker (Hon. Steve Peters):** Agreed?

*Interjection.*

**Hon. Michael Bryant:** Do you want me to read the motion?

**Mr. Peter Kormos:** On a point of order, Mr. Speaker: I understand that the government House leader will be seeking unanimous consent for a schedule for today, not by way of motion.

**Hon. Michael Bryant:** Thank you. I seek unanimous consent for a motion with respect to the scheduling of the Legislature—

**Mr. Peter Kormos:** No, no.

**Hon. Michael Bryant:** No motion?

**Mr. Peter Kormos:** If I may, Speaker, I understand that the government House leader is seeking "unanimous consent for the business of the House today to be arranged as follows" etc.

**Hon. Michael Bryant:** Speaker, it's not a motion, so I'd better just read it as is.

**The Speaker (Hon. Steve Peters):** The government House leader seeks unanimous consent for a schedule of business.

**Hon. Michael Bryant:** We're actually going to get there, believe it or not.

I seek unanimous consent for the business of the House today to be arranged as follows:

This morning to 10:45 a.m.: debate on the motion for third reading of Bill 64, An Act to amend the Pesticides Act to prohibit the use and sale of pesticides that may be used for cosmetic purposes. Should debate on Bill 64

collapse before 10:45 a.m., the House will recess until 10:45 a.m. and the vote on Bill 64 will take place when the House reverts to orders of the day;

At 10:45 a.m.: introduction of visitors, oral questions and petitions;

Following petitions: Notwithstanding standing order 8(a), the House will continue to meet and will revert to orders of the day to complete consideration of Bill 64;

Following completion of Bill 64: The Speaker shall adjourn the House to September 22, 2008; and

That there shall be no deferral of any vote upon any item of business today.

**Mr. Peter Kormos:** On a point of order, Mr. Speaker: Not to belabour the point, I want us to be perfectly clear, because one interpretation of that could be that when the House reverts to orders of the day there shall be a vote with no further consideration, and the motion does not contemplate equal sharing of time, for instance, in the one hour and 45 minutes this morning. I would seek clarification from the government House leader with a view to determining that this allows for all three parties to at least have equal time to participate in the bill or that the debate shall continue until it collapses.

**The Speaker (Hon. Steve Peters):** Government House leader, could you provide some clarification to the House, please?

**Hon. Michael Bryant:** Yes. The first paragraph would read, "Debate to be shared by all three parties on the motion for third reading of Bill 64."

**The Speaker (Hon. Steve Peters):** The government House leader seeks unanimous consent for the business of the House today. Is it the pleasure of the House that the consent carry? Carried.

*Agreed to.*

## COSMETIC PESTICIDES BAN ACT, 2008

### LOI DE 2008 SUR L'INTERDICTION DES PESTICIDES UTILISÉS À DES FINS ESTHÉTIQUES

Mr. Gerretsen moved third reading of the following bill:

Bill 64, An Act to amend the Pesticides Act to prohibit the use and sale of pesticides that may be used for cosmetic purposes / Projet de loi 64, Loi modifiant la Loi sur les pesticides en vue d'interdire l'usage et la vente de pesticides pouvant être utilisés à des fins esthétiques.

**Hon. John Gerretsen:** I'm very pleased today to lead off debate on third reading of Bill 64, a bill that proposes



a province-wide ban on the use and sale of cosmetic, non-essential pesticides. Why did we propose this ban? We proposed it because all Ontarians, particularly young children, have a right to live in a healthy environment. They deserve to breathe clean air, drink clean water and know that the land they live on is healthy and sustainable. All of us, including young children, deserve to be able walk in the parks and enjoy the gardens and watch themselves and their parents playing outdoors without worrying about the risks of unnecessary pesticides.

Over the past four and a half years, our government has taken historic steps and been highly proactive in protecting and preserving the environment for our benefit and the benefit of future generations. The proposed Cosmetic Pesticides Ban Act is another positive step in this commitment, another step in the right direction.

If passed, this act would ban pesticides for cosmetic purposes on lawns, gardens, parks and schoolyards across Ontario. It would make exceptions for agriculture and forestry, and for public health or safety reasons. Golf courses would also be excepted, but subject to strict conditions that would require pesticide use reduction over the year, and those exceptions would only be granted upon the filing of an acceptable pesticides management plan with the Ministry of the Environment, according to the regulations, which are still to be determined.

We want to ensure consistency of law and give all Ontarians equal protection from potential exposure to cosmetic pesticides, no matter where they live in the province. That's why last fall, during the election campaign, we made it quite clear that we wanted to ban the use of cosmetic, non-essential pesticides and we wanted to have consistent application of that law throughout the entire province.

We all know that current municipal bylaws vary greatly; there are different requirements at home, at work and at the cottage. We will study the various municipal bylaws as part of a regulatory regime we will be bringing in if this act is passed. We will consult on the regulations with municipalities and with all others who have an interest in this. At the end of the day, we know that we will have the toughest law and the toughest regulations against the use of pesticides for cosmetic, non-essential purposes.

0910

One law would ensure that all Ontarians are protected equally, that it's clearly understood what is against the law and what is not, and that we're not confused by competing requirements. It will also be clearly understood what the penalties are for not following the law, and that enforcement is consistent, predictable and equal across this province.

We have gone much further than banning the use of cosmetic pesticides; we are also banning the sale of cosmetic pesticides. Banning the sale of the product in the province of Ontario is the best way to eliminate the use of it.

I know that municipalities have some concerns about this, particularly those municipalities that have stronger

bylaws with respect to use. But we've said right from the very beginning that if we were to implement a ban on the use of cosmetic pesticides, we want it to be equally applied across the province.

In that regard, let me quote from an e-mail I received just within the last half-hour from Jan Kasperski, of the Ontario College of Family Physicians. It's addressed to me and to Kevin Flynn, my parliamentary assistant. Before going any further, let me just thank him for shepherding the bill through second reading in the House, and through committee. Indeed, I want to thank all the committee members who were involved in listening to deputations and in the clause-by-clause that followed earlier this week.

Ms. Kasperski writes:

"Dear Mr. Gerretsen and Mr. Flynn,

"The Ontario College of Family Physicians and the 8,400 family doctors who are members of the college, on behalf of the patients we serve, are very grateful to both you and the terrific public servants who have worked tirelessly to bring Bill 64 this far in such a remarkably short period of time....

"For 10 long years, the OCFP has been made a target by the pesticides industry. Our credibility has been questioned repeatedly. We faced up to them by reaching out and touching the hearts of Ontarians with our sincere desire to protect children from harm.

"Your sincere efforts to do the right thing for all Ontarians shine through in all that you do too. Some members of the coalition" may not be all that supportive, but we are.

"As for the OCFP, we will celebrate with you tomorrow"—meaning today; this e-mail was sent last night. "We are realists. We know that the best strategy is to take five steps forward.... Regulations will get us" there.

"Thank you so much for what you do. You are both deeply respected and we greatly appreciate your hard work in driving this bill forward. Please give our best to the Premier and thank him on our behalf."

I'm not reading this for the personal comments she made about Mr. Flynn and myself, but for the fact that the College of Family Physicians is on side with what we're doing here today. They know we've gone further than we said we were going to. We said we were going to ban the use of cosmetic pesticides. By banning their sale, we're doing something much better.

As I mentioned before, numerous groups, including the Ontario College of Family Physicians, the Canadian Association of Physicians for the Environment and the Canadian Cancer Society, have been calling for a ban on cosmetic pesticides as a prudent measure to protect our health. The renowned David Suzuki Foundation is a strong advocate as well; I received an e-mail from them as well overnight.

By banning the sale and use of cosmetic pesticides, we have an opportunity to eliminate a potential threat to the health of our children, our parents, our friends and neighbours, our water supply, as well as to future generations.

As you know, our government consulted extensively with stakeholders and the public in developing the pro-



posed legislation. We have received approximately 11,000 comments from the two postings on the Environmental Registry. We've met with environmental groups, health organizations, and the municipal, agricultural, golf, turf, retail manufacturing and production sectors. I would like to thank all of those individuals and organizations we have met with over the past few months. Their viewpoints and suggestions are valued and the legislation has benefited from their input. At the standing committee as well we heard many insightful comments. Having heard all the submissions, we are confident that we have brought forward the best possible legislation.

In addition to exceptions to the ban for uses related to agriculture and forestry, the promotion of public health and safety and golf courses, Bill 64 is drafted to allow exceptions for other prescribed uses in regulation. This would allow the government to deal with things like endangered species or the preservation of urban trees, which may not fall clearly within the health and safety exception. We have listened to the concerns of stakeholders with respect to the "other" exceptions and have strengthened Bill 64 to make these exceptions conditional. This means that in order to use pesticides that have been prohibited under the use ban, these "other prescribed uses" must meet all conditions placed on them as specified by regulation. Failure to meet those regulatory conditions means that these other uses would lose their exception and be prohibited.

If the bill is passed, we look forward to engaging Ontarians once again to make sure that the strongest possible regulations are put in place to protect our health and environment. We will meet with those municipalities that have passed what they regard as stronger-use bylaws and we will take a look at those bylaws to see how they can be implemented in the regulations.

I would like to add my personal thanks to everybody who has worked so hard on this, both from a stakeholder and from our staff and ministry viewpoint. I also want to thank those who have worked so hard for many years to ban cosmetic pesticides in communities. They, and particularly those municipalities that have been involved in this for many years, have laid a strong foundation that has allowed us to introduce a province-wide ban. We will continue to work with them and with the Ontario Pesticides Advisory Committee, and they will help us on the details to be outlined in regulations.

If passed, my ministry would also consult with stakeholders on draft regulations that list the specific pesticides and ingredients to be banned. Currently on the proposed list, we have some 80 different ingredients and over 300 products, which is much more extensive than any other jurisdiction in this country. I also want to make it clear that if the bill is passed and the regulations put in place, time will not stand still. We are committed to continuing to work with our municipal partners to ensure that we have the strongest possible regulations in place across this province.

As we look ahead, if Bill 64 is passed and the regulations are developed and put into place, the ban on the

cosmetic use of pesticides could be in effect as early as next spring, 2009. That's what we've always been aiming toward, even though other jurisdictions have taken as long as two or three additional years. If we want to protect our children from unhealthy risks, then we should implement that as soon as possible. In communities across the province, families and children would be protected from the harm of pesticide use on the lawns, gardens—I might note gardens are not included in the province of Quebec—parks and schoolyards that they live on, pass by or play in on a day-to-day basis.

Our government is not the first to recognize the hazards or the needlessness of the cosmetic use of pesticides. As I mentioned before, Ontario municipalities—some 33—already have shown leadership in banning or restricting them, and I salute them once again for their great work. Through them, approximately 46% of Ontarians are already better protected from harm. A province-wide ban would ensure this protection is extended to all diverse communities in this province, whether urban or rural. We recognize that including rural communities in the ban moves away from our original view that we would not focus on restricting those areas. However, rural residents and children deserve every opportunity for good health and our government simply will not leave them out. We want a uniform law across this province, whether it's urban or rural.

0920

We want all parents, no matter where they live, to have the security of knowing that their children are not subjected to these chemicals. As I mentioned before, Quebec has implemented a prohibition on the sale of pesticide fertilizer mixes and other pesticides for domestic use by the general public. Ontario proposes to take one of the toughest stands against cosmetic, non-essential pesticides in North America and, certainly, it would take the good work of our municipalities one step further because we're not only banning use, we are banning sale, which is the best way to ban use.

Our legislation would prohibit the use and sale, as I mentioned before, ensuring not just consistency and clarity in law that would apply to all municipalities equally, but also making sure that products containing banned ingredients would not be available for purchase in Ontario. We chose to go beyond our original commitment during the election campaign last fall in this regard because we believe that taking these products off the shelves in the first place is the single most effective way to reduce their use. This step is strongly supported by environmental and health groups, as well as the general public.

Taking this thought a bit further, let's look again at the economic impact of our proposed changes. Here in Ontario, we are proud to be home to an environmental industry that contributes over \$8 billion a year to our economy and is at the leading edge of the burgeoning green economy. We are confident that, if passed, our proposed legislation would provide another boost to this important sector and a new direction for growth, as our



innovative businesses create new, pesticide-free products, new services, new jobs and economic growth. We are absolutely convinced that the industry is capable of coming up with these new, pesticide-free products.

In our recent budget, our government allocated over \$10 million over four years to support our proposed plan to ban the use of non-essential pesticides. These funds will help support Ontario-based research to foster development and commercialization of green alternatives that are better for the environment and for the health of Ontario families. This also has the potential to position Ontario as a research and development leader, as more provinces, states and countries ban the use of cosmetic pesticides and begin to look at alternatives. These funds are also targeted for education and outreach.

Our government continues to be gratified by the number of stakeholders that have expressed interest in working with us to ensure that the general public is aware of alternative methods of lawn and garden care. These include educational institutions, municipalities, retailers, service providers, health units and organizations ranging from the Canadian Cancer Society to the Royal Botanical Gardens in Burlington. With their help, we propose to focus on education and outreach as the principle means of ensuring compliance with the ban. Fines will be a last resort. The most important thing is banning both the sale and use of the product.

This bill is the first step in our government's commitment to reduce toxins and tackle the environmental cost of illness. If passed, it will ensure that our children and all Ontarians are no longer exposed to cosmetic, non-essential pesticides that can harm their health. It would provide a new avenue of growth for innovators and entrepreneurs who are propelling Ontario's green economy, and it would promote natural, organic solutions to lawn and garden care that are better for our environment and would help improve the health of our planet.

By supporting this legislation, we, as legislators, would be protecting our province and our people not just today, but for generations to come.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Peter Shurman:** I'll be sharing my time with my colleague the member from Haliburton-Kawartha Lakes-Brock.

This is the last day in the Legislature before September, obviously, and I know that some of the members and people watching us on television are already well engaged in the golf season. I can play more now—maybe not well, as some members know, but I can play more now.

Have you ever heard the expression, "Drive for show and putt for dough"? It means that the big drive is easy: One smash with that big-dog driver and you're two thirds of the way down the fairway in one flashy shot. What has this got to do with a bill on pesticides? Bear with me. The hard work in golf is on that third, fourth, fifth, sixth shot in the final 100 yards getting to the green and then in the putting. The devil is in the details, and in golf the details are in that short game, that last 100 yards.

So it is with McGuinty legislation: Drive for show, but the short game and the details? They're just not there. "Let's ban pesticides. No one likes pesticides." That's the big drive. That's the drive for show. "Do we have the science to back it up? No. But who cares? We'll grab everyone's attention with that first big boomer shot off the tee."

Liberal strategy interprets public opinion like this: "Yeah, pesticides, they can't be good for us. McGuinty's right." But people are not stupid. Pesticides used properly protect them from West Nile virus and termite infestations and provide worm-free ears of sweet corn in the summer and large luscious fruit as soon as the season starts a couple of weeks from now.

I will not be supporting Bill 64 because it will not accomplish what it claims. I told this Legislature a few days ago that bills designed to grab the attention of people for a few seconds and have them say to themselves, "Sounds good to me," were about all the McGuinty government could come up with in the session now ending, and here we go again.

There are three distinct kinds of bans in legislation we deal with here. An essential one would be, for example, a ban on handguns. Most everyone agrees with that. But we know what a problem enforcement is despite significant police efforts on this issue, and still we persevere on a ban like that.

Another kind of ban is the type inherent in something like Bill 69, passed here on Monday: no smoking in cars with kids. We pretty well all agree it deals with a few stupid people who do that, and we know it won't really be enforced due to manpower resource issues. But the government thought it looked good, so now we have that ban in Ontario.

Then there's a bill like this one. The McGuinty government says, "Hey, let's ban pesticides." The instant response from people goes something like, "Pesticides are poison; poison is no good. Great idea." That's all the thought they give to it, but that's instant and it is also false. "Wait a minute," says the government. "We can enforce it, and it'll look great." If you want to talk about a cosmetic ban, indeed that's what this is. It's a perception that you're selling, not a reality.

Why am I against it? No science backs this up—zero, none. You talk about timely? Read Terence Corcoran's piece in yesterday's *National Post* on this very problem. Before anyone tries to characterize my stance as pro-pollution, pro-big business or devil-may-care, stop. Abuse of pesticides and irresponsible use of pesticides must be stopped. There are few who would argue with that—I certainly wouldn't—but this legislation does not distinguish at all between the use of pesticides and the abuse of pesticides.

0930

Bill 64 targets responsible users of pesticides. In fact, based on no scientific fact, it punishes them for acting responsibly. It is short-sighted. It is unfair. It is irresponsible. When we act as responsible legislators, we need responsible and factual support data, and Bill 64 is not



based on scientific fact. The Ontario Federation of Agriculture wrote: "OFA would like to voice our very strong objection to the limited hearing time allocated to Bill 64 (four hours), and to the incredibly short application time afforded those wanting to address the standing committee .... The fact that Laurel Broten, a committee member, reported that the committee clerk was to 'post information regarding the hearings ... in major newspapers, if possible,' would be comical if it was not so disrespectful. It was preposterous to suggest that notification could possibly have been provided through newspapers, when the clerk was only informed on Thursday that the deadline for application to attend the hearing was 5 p.m. the following day."

When we, the official opposition, assess any proposed legislation, we consider a number of factors, including: (1) Does the proposed legislation speak to the needs of Ontarians; (2) Is the proposed legislation effective in achieving what it sets out to achieve; (3) Is the proposed legislation informed, based on knowledgeable sources; (4) Is it fair and responsible; and (5) Has there been sufficient attention paid to its enforcement?

Unfortunately, the resounding answer to all of these questions with respect to Bill 64 is no, it does not pass the test on any of them.

The McGuinty Liberals would have Ontarians believe that this bill is about protecting the environment, but there has been no evidence presented. "My God," said one deputation in committee, "pesticides killed 1,600 people last year and half were children." So I questioned them: "Was it exposure, or did they drink the stuff because dad left the cap off on the front steps?" Answer: "Don't know."

If the McGuinty government were serious about protecting the environment, they would take real action on closing inefficient and harmful coal plants, smog and toxins. They would take action that has its basis in science and good government, not headlines and hearsay. Health Canada, the definitive authority, has over 500 experts who set standards for our pharmaceutical drugs and we can't trust their views on pesticides? Give me a break.

Allegations of responsibly used pesticides causing cancer and poisoning children were made before the committee, but the evidence was never presented. Groups that needed to be heard were not, like Petro-Canada, with an entirely new and promising approach to pesticides, using products which are the equivalent of baby oil. If you drank baby oil, the only result would be a longer than usual visit to the bathroom.

Here is a quote from their written submission:

"A golf turf fungicide that goes beyond the current requirements proposed in Bill 64. Our product is 100% free of active ingredient and is scientifically proven to maintain efficacy.

"A selective herbicide that has eliminated approximately 85% of the active ingredients (with the goal to reach 100%, similar to the fungicide). Again, scientific evidence clearly demonstrates that this product maintains its effectiveness when measured against other leading brands with full concentrations of active ingredient."

The product commonly known as Roundup is banned, despite Health Canada classifying it as a reduced-risk product. In this legislation, the McGuinty Liberals chose to ignore science and, indeed, our own Canadian scientists from Health Canada. Why are they there? Health Canada scientists are the gold standard in terms of testing and protecting us from chemical or pharmaceutical formulations. It's a fact that proper use and administration of proper quantities is, arguably, the single most significant determining factor of health risks. Scientists from Health Canada have concluded that if used according to instructions, pesticides do not harm children or pets or the very people who apply them.

Every one of the people in this chamber benefits from the pesticides this city uses to control mosquito infestations to prevent the spread of West Nile virus. Everyone here eats Ontario fruits and vegetables, grown with the aid of judicious and responsible applications of pesticides. That's legal under this bill. If our crops were grown without it, we'd have a yield of 30% to 40% less than what we get. So pesticides work. Like any chemical, they work best and are beneficial only when used correctly.

The government chose to rely on a report by the Ontario College of Family Physicians—the Pesticide Literature Review—which had a great many limitations, including selective reporting of data, ignoring Health Canada's role in pesticide registration and rolling all pesticides into one definition. That's like saying all medications are bad. Anyone here take no pills whatsoever? I think not.

This McGuinty government runs a public relations machine. First it builds misconceptions, then it plays on fear and then it pretends to propose solutions—kind of like an arsonist who sets a fire and comes back 10 minutes later and extinguishes the fire so he can be hailed as a hero. The problem is that the McGuinty Liberals' idea of solutions is just to ban things. Indeed, I'm not sure what they would do in this House if they ran out of things to ban. Maybe they could ban bans for a while and deal with real problems by bringing real solutions. Our economy comes to mind, but never mind that today.

I'm quite worried; perhaps the next time I have a headache I won't be able to take an ibuprofen because they'll decide to ban it. Following the logic that was applied to this bill's development, they could easily do that as their next ban. They'll say if I take 100 capsules I could cause serious injury to myself or even die, and they'd be right, but I don't plan to take 100 capsules. I read directions, and so do pesticide users.

Both medication and pesticides are reviewed for proper use by the very same Health Canada. Does this government seriously believe that people operate on the lowest common denominator? In other words, is their legislation designed for someone who may take 100 ibuprofen pills or inhale or drink pesticides? The comparison is fair. Why? Because these things are ably and rigorously tested by Health Canada. Used as directed, they're safe—not maybe safe, they are safe. For the sake of my head, I hope sincerely that ibuprofen will remain a legal product



to sell and use, not abuse, in Canada, and in Ontario particularly.

The truth is that this is yet another piece of smoke-and-mirrors legislation which pretends to accomplish something while it really achieves nothing. I have to ask what general is leading this army, because the battle is in the other direction. Meanwhile, the troops are fighting imaginary skirmishes, looking for an enemy that just isn't there.

Bill 64 only targets a few people who are basically using pesticides responsibly. It exempts agriculture, forestry, golf courses. That leaves people and properties, accounting for only 2% of pesticides used. Yes, I said 2% of the total. Stakeholders across Ontario wanted to make these points—responsible people who were not heard because of location and time. The government rejected our request to take hearings on this bill on tour, and the total time for hearings was about four hours. The McGuinty government neglected to seek input on this legislation from experts and responsible users of pesticides.

Here's one result already, and I quote from the Ontario Vegetation Management Association:

"OVMA is seeking an exemption for the use of pesticides for industrial vegetation management. Herbicides used to control vegetation in industrial situations are an essential component in maintaining the integrity of the infrastructure that the Ontario public depends upon for safe and reliable services. Control of brush and conflicting vegetation is necessary for the safe operation of economically important facilities (eg. power lines, gas pipelines, oil pipelines, railways, roadways), prevention of catastrophic failures and life-threatening emergencies. Pesticide use in these operations is not a cosmetic use and should therefore be exempted from the proposed amendments to the Pesticides Act."

The government didn't bother to listen to Ontarians to define essential or non-essential uses.

From the Ontario Fruit and Vegetable Growers' Association:

"Bill 64 makes it very complicated for those of us who use pesticides to understand who we answer to. The PMRA—a federal body respected internationally as a tough regulator—can approve a product based on a thorough scientific evaluation. The municipality up till now has had the power to ban its use, claiming it is harmful, and yet Bill 64 hasn't banned it. How confusing is this? We need to have one regulatory authority—the PMRA—that has the power to evaluate and approve (or reject) products based on the science."

This government decided to introduce a blanket law that once again doesn't pay attention to details.

In conclusion—and I state emphatically—there is no science to back up Liberal rhetoric here. This bill was not introduced with the health of Ontarians in mind. It was introduced with the goal of distracting people from the fact that this is a do-nothing government that specializes in meaningless, token gestures.

0940

I close as I began. I will not be supporting Bill 64 because it will not accomplish what it claims. We are

stuck in a bad movie. Ontarians are getting what passes for leadership and protection from the Wizard of Oz: "Pay no attention to that man behind the curtain."

My message to this government is: Go back to Kansas; get the courage to make the right choices; get the brains to give us smart legislation, not fluff; come back to reality to deal with Ontario's real challenges.

People in my riding of Thornhill and of this province deserve better leadership on key issues.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? Member for—

*Interjections.*

**The Deputy Speaker (Mr. Bruce Crozier):** I remind the members that this is split time. It's rotation. I look to the next party, Member for Toronto—Danforth.

**Mr. Peter Tabuns:** Thank you, Mr. Speaker. I had understood that the Conservatives were splitting that time, but I'm prepared to speak and I appreciate your consideration.

*Interjections.*

**Mr. Peter Tabuns:** Speaker, when order is restored in the chamber, I'll get to it.

There are a number of serious flaws with Bill 64. At the hearings on Monday, those flaws were highlighted in detail by a wide variety of stakeholder groups such as the Canadian Cancer Society, the Association of Municipalities of Ontario, Toronto's medical officer of health, Ecojustice, the Canadian Association of Physicians for the Environment, the Canadian Environmental Law Association, the David Suzuki Foundation, the Registered Nurses' Association of Ontario, Pesticide Free Ontario—a wide variety of submissions with many common themes, both supporting action on pesticides and expressing concern with elements of this bill that undermine its effectiveness.

The questions we have to address first are how we came to be here, how we came to have this debate today, how this society came in any way to act on the question of pesticides and, frankly, the dispersal of toxic chemicals throughout our environment.

We can go back to Rachel Carson, if you want, in the 1960s, talking about the broad dispersion and use of new technologies that were developed after the Second World War—organic compounds that could be used to kill plants, to kill insects, but to kill in a very non-discriminatory way and pose human health threats.

Those concerns have led, over the decades, to action by governments ranging from Richard Nixon's in 1970 to Hudson, Quebec, in 1991, to the city of Toronto, to Oakville, Markham and a variety of others that understand that the whole field of organic, chemistry-based toxins used to control plants and other pests is an extraordinarily powerful technology and needs to be reined in. At this point in this society there is broad support for taking action, at a minimum, to get rid of those uses that are generally seen as unnecessary. So it's the organizations that I cited and a number of others, along with municipalities, that have taken action. In the case of Hudson, Quebec, and the city of Toronto, they actually went all



the way to the Supreme Court to fight for their rights to protect their citizens.

We do need action and I just want to cite a few commentaries on the real issues before us. The city of Toronto put out a fact sheet a few years ago, explaining to people what the health effects were of pesticides and what the concerns were. They noted scientific studies done by epidemiologists, some studies of men and women who work with pesticides, including pesticides used on lawns and in gardens, suggesting they have increased risks of fertility problems, spontaneous abortion and miscarriage. It's not solely a question of cancer. It's not solely a question of more subtle effects. Fertility problems, spontaneous abortion, miscarriage: These chemicals affect our ability to reproduce. Some studies, mainly of workers, suggested that maternal exposure during early pregnancy to pesticides used in gardening is associated with increased risks of several types of birth defects such as cleft lip and palate, spina bifida and limb anomalies.

Brain and nervous system effects: Researchers conclude that there's reasonable evidence for an association between exposure to pesticides and a moderately increased risk of Parkinson's disease. More research is required to establish which pesticides contribute to the increased risks.

Cancer: Recent studies show increased risks of testicular, prostate and cervical cancers, non-Hodgkin's lymphoma and multiple myeloma among those exposed—particularly farmers—to pesticides through their work. In children, several studies have shown moderately increased risks of some cancers, particularly leukemia, non-Hodgkin's lymphoma and neuroblastoma, and some birth defects, with pesticide exposure around conception in the womb and early infancy.

I think the studies are out there that show a connection between the use of pesticides and incidence of cancer, birth defects and reproductive problems. I don't think that the scientific establishment in this country would dispute that. In fact, I think they would support that. The Canadian Cancer Society then goes on, in another paper, to talk about what the costs are. I talked about the human impacts, and for individuals and for families, those impacts are substantial. Those impacts are enough to justify restrictions on the use of these chemicals, particularly in situations where there's broad agreement that their use is not critical and not necessary.

The Canadian Cancer Society, in their submission, stated: "Cancer is a leading health issue in Ontario. While cancer treatments have improved and mortality rates have fallen, cancer incidence is expected to increase drastically due to Ontario's aging and growing population. It is estimated that by 2020, cancer cases in Canada will increase by two thirds.

"Approximately 60,000 Ontarians will be diagnosed with cancer and 27,300 deaths from cancer will occur in 2008.

"Fifty per cent of cancers can be prevented through healthy lifestyle changes and policies to protect the public, such as banning the use and sale of cosmetic pesticides.

"Cancer is a major cost driver in provincial health care budgets and affects the ability of all levels of government to collect revenue and pay for services. As of 1998, Ontario was spending approximately \$2 billion directly per year on cancer care. The indirect costs associated with cancer, such as loss of productivity, costs Ontario approximately \$5 billion per year."

I would say that on the face of it, simply looking at epidemiological studies presented by credible authorities, such as the medical officer of health for the city of Toronto and other medical officers of health, and looking at the data produced by the Canadian Cancer Society as to the real cost to this society in financial terms—not human terms, not family terms, not community terms but raw dollars—that burden is substantial. For those reasons alone, the environmental groups, the citizens' groups, the health groups and the nurses' associations who have campaigned, literally for decades, are justified in bringing this forward, and the cities that have taken on this fight deserve the gratitude of the people of this province for having taken the risks.

I've been on city of Toronto council when it has taken initiatives beyond where a provincial government was willing to go, and I know that they carry the burden of the heavy fight. The member for Oakville, I'm sure, is well aware of the fights that went on in his council and community. So for me it makes sense that those pressures, those campaigns and those pioneering efforts to protect the population should be rewarded with legislation that is broader, stronger and more encompassing, and that we should be moving in a direction that phases out these uses wherever possible—and let's start with the unnecessary ones.

0950

I have, however, three substantial problems with this bill, problems that are substantial enough that I won't vote for the bill, because I think there are elements, in particular the one I'm going to address now, that undermine the ability of cities to act and take the lead in the future. If cities had not had the power in the past to act on smoking or on pesticides, we would not have a Smoke-Free Ontario Act. We would not have any legislation on pesticides before us today. We would be in trouble. The initiative of this government to push back the power of the municipalities is a profound error.

We brought a number of amendments to committee on Monday for clause-by-clause consideration. The one that was fundamental for us, the key, was the removal of the section of this act that took away the power of municipalities to act independently, essentially to let them take the floor provided by this bill and build from there. In fact, what this legislation has done is put a ceiling on the power of municipalities to act. Stakeholders called for this government to get rid of that amendment.

The government claims that it has changed the way it works with the municipalities. John Gerretsen, when he was Minister of Municipal Affairs and Housing, said, "Under the leadership of Premier McGuinty, a new, positive tone has been established in provincial-municipal



relations.... We know municipalities are accountable, mature orders of government that can ably represent themselves and their citizens with the federal government." I suggest to the Minister of the Environment that he should have listened to himself as Minister of Municipal Affairs and amended this bill so that cities continue to have the right to pioneer and go further. We in the NDP believe that cities do have the knowledge and the political courage to go further than provincial governments and that that knowledge and courage should not be restrained.

We remember the debacle after the Premier said in an April news conference that municipalities would be able to improve upon the pesticide ban. My sense is that the Premier did that knowing full well that was the correct position to take politically. He wasn't corrected at the time. He should never have been corrected. The bill should have reflected his comments. He said that because any reasonable person would think municipalities should be able to pass bylaws that are closely connected to their cities and citizens.

The Association of Municipalities of Ontario, which was represented by Markham councillor Erin Shapero, who is here today, said, "We are concerned about a clause in this bill which would render municipal bylaws inoperative and would like to see that clause removed from the proposed legislation."

**Mr. Peter Kormos:** Then remove it.

**Mr. Peter Tabuns:** Then remove it. So we moved at committee, and we were turned back. That amendment was not adopted. I asked for a recorded vote. The government members unanimously voted against that amendment. They voted to restrict the power of municipalities.

The Canadian Cancer Society agrees with maintaining the ability of municipalities to act and to be leaders. I will read an excerpt from their note on the pesticide legislation: "The evidence linking pesticides and cancer is still growing. As the scientific and health communities are continually learning more about the risks associated with exposure to pesticides, municipalities should not be prevented from enacting bylaws stronger than provincial law if the community and city council support stronger protection." In fact, they recommend that if there is a conflict between municipal and provincial pesticide legislation, the stricter restrictions should prevail. This is what exists in the smoke-free Ontario legislation.

Excuse me, could I have a glass of water?

**Mr. Peter Kormos:** I've already ordered one for you.

**Mr. Peter Tabuns:** You're very good to me, Mr. Kormos

**Mr. Peter Kormos:** Don't spread rumours.

**Mr. Peter Tabuns:** I won't spread rumours. I'll make a fair statement in open session.

**Hon. James J. Bradley:** Who's running for the NDP leadership?

**Mr. Peter Kormos:** Tabuns.

**Mr. Peter Tabuns:** Kormos.

Given the similarities between the two in terms of levels of government moving to improve public health,

we should have the same legislation. We put forward an amendment to that effect. Again, the amendment to actually retain municipal power to protect the public and move forward the environmental struggle was defeated.

Municipalities have been leaders in introducing pesticide bans. They tend to be closer to public health concerns. In fact, 33 municipalities have enacted pesticide bans of some form affecting almost half of Ontario's population. This legislation ends the ability of municipalities to respond to real concerns brought forward by their health officers and their citizens.

From the David Suzuki Foundation: "Interfering with municipal powers to regulate the use of pesticides to protect public health is unnecessary and unjustifiable." This was reiterated in a joint letter to the Premier from Ecojustice and the Canadian Environmental Law Association. They fought tooth and nail to defend the rights of municipalities to enact local bylaws against big pesticides. Their opinion was set aside; their commentary was not heeded; their words were simply pushed off the table. They wrote, "We recommend that this section"—referring to restraint on municipalities—"be deleted entirely and that the bill remain silent on this issue. Section 14 in the Municipal Act, 2001, and the developing body of case law are more than adequate to deal with any conflicts arising between municipal bylaws and provincial regulation of pesticides. Further, provincial regulation of pesticides ought to be the floor from which municipalities can regulate further in accordance with local needs. We believe that such a direction would be consistent with the intent of the Legislature when the Municipal Act was most recently amended, bolstering local regulatory powers to protect human health and the environment."

So I have to ask, why was the Municipal Act amended to reflect the maturity of the municipal level of government, the recognition of their ability to actually take on these issues in advance of the province, when at the first opportunity to actually put things into effect, to put a floor in effect upon which municipalities could build, that power was taken away from them?

There was concern from the Registered Nurses' Association of Ontario that the override provision may be successful in allowing the pesticide industry to soften the ban.

I just want to note that the city of Toronto board of health actually brought forward a resolution at one of the recent meetings, and I'll read it out, concerning this overturning of their powers. First of all, they passed the motion requesting the Ministry of the Environment to amend the wording of the proposed Cosmetic Pesticides Ban Act, so that if there's a conflict between a municipal bylaw and the act, the provision that is most restrictive of the cosmetic use of pesticides prevails—and note: requested the medical officer of health to submit a report to the board of health on what legal options might be available to the board of health and the city of Toronto to preserve our right to protect the health of the public if Bill 64 is adopted without the amendment proposed in recommendation 1(a).



In other words, that city is not prepared to simply roll over and have its powers to protect its citizens abrogated. It is now investigating, as it has in the past when it's dealt with the pesticide industry, what its legal rights and powers are to protect its citizens. The action of this government to put them through that is a dereliction of their duty and responsibilities and a dereliction of respect for the municipal level of government.

The second part I want to address: The legislation provides the government with too much flexibility to exempt certain uses. Subsection 7.1(2) lists the exemptions for the cosmetic pesticide ban: golf courses, agriculture, forestry, to promote public health and safety, and then, finally, "other prescribed uses." In other words, the ministry can indiscriminately regulate exemptions to the act. This is a dangerous precedent. With one stroke of the pen, the pesticide ban can be made completely ineffective. I don't think that this should be left to regulation. If there were particular exemptions that the government wanted to have in the legislation, they should have been put in the legislation so that we in the opposition could have debated those exemptions, so that those in the environmental movement and the environmental health movement could have made their representations as to the adequacy, inadequacy, fairness or unfairness of what was put forward. But, in fact, that didn't happen.

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What's been put forward is the blanket ability to declare an exemption for any other purpose. I don't think we can leave this to regulation. In fact, beyond that, we shouldn't leave this to regulation. The ability of the public to intervene in the regulatory process is very limited. The ability to lobby, get media attention, exert real pressure on the government to make a difference when you get to the regulatory phase, is not the pressure lever and attention you have when we're going through the legislative phase. It gives the government far too much room to manoeuvre and gives it far too much discretion.

We have a situation where the municipalities, which have acted effectively as the safety net for this province in terms of protecting people from pesticides, have had their power taken away; then the government has taken upon itself the ability to regulate away all the protections that it says will be in this act.

An argument was made in committee: Let's assume this government is pro-environment. I don't say that, because I think this government has had a very sorry record on the environment, but let's say for a moment that they consider they are. There's always the possibility that another government will be elected and use the powers that they've put in place to undermine even the small steps they consider they've taken.

The Canadian Environmental Law Association and Ecojustice made their point quite eloquently in their letter to the Premier: "Subsequent governments could, through prescribing excepted uses, render the purpose of these amendments to the Pesticides Act meaningless. We recommend that this subsection also be deleted from the

bill in order to ensure that pesticide use in Ontario is reduced over the long term."

The Canadian Cancer Society: "Section 7.1(2)5 has the potential to authorize exemptions that would undermine the intent of the legislation."

It is very clear to those who are deeply concerned about the use of pesticides in this province, those who fought for a long time for strong legislation, that this particular section of the bill gives carte blanche to any future government to throw it all out the window without any need for public hearings.

The Toronto medical officer of health: "I am also concerned that the bill authorizes unspecified exemptions ... described as 'other prescribed uses,' which could be used by future governments to reduce the health protection of the legislation without legislative debate."

The Registered Nurses' Association of Ontario: "Current and future governments would be left open to strong pressure to weaken the legislation through this loophole."

We in the NDP proposed an amendment to strike this line entirely. The government voted against those amendments. In doing so, they voted against a cross-section of public interest advocates and public health experts.

I want to turn to the third problem with the bill: The legislation bans certain pesticides rather than allowing certain pesticides. The bill allows all pesticides to be used for cosmetic purposes unless they are specified by regulation. We have suggested, and a number of groups have suggested, approaching it very differently, to prescribe only the pesticides that are, in fact, allowed.

The reasons are straightforward. Simply put—everyone recognizes it—pesticides are powerful and they can be dangerous. The evidence on that is clear. There's a positive association between exposure to pesticides and a number of types of cancer: non-Hodgkin's lymphoma, leukemia, brain cancer, kidney cancer, pancreatic cancer, prostate cancer, lung cancer. There is strong evidence that children may be more vulnerable than other population groups. A British study found that 50% of pesticide poisonings involved children under the age of 10.

We simply recommended in our amendments that we have a precautionary approach. Put that in place, decide what is clearly safe. Allow that, in what we've all agreed are cosmetic, non-essential uses, and go from there. Those who are familiar with the Krever commission on the contamination of the blood supply in Canada are well aware that Justice Krever argued, and I think very well, on the basis of the evidence that where there is potential for risk, caution is certainly in order. In this case, where we're dealing with non-essential uses, why do we lack any caution at all? Why do we not put in a more restrictive regime than the one put forward by the government?

I have to ask myself why the government is putting so much power into its hands on the regulatory side. I know the argument that will be made, and has been made in the past, is, "We like to get into the detail and make sure you are protected. We enable ourselves, but then we get into it and make sure that things are done well."



I just want to note two reports. Neglecting Our Obligations, by the Environmental Commissioner of Ontario, talks about the fact that in Ontario, environmental protection, time after time, is not there. If it's contaminated landfills, if it's water pollution, he notes time and again that the government doesn't enforce, does not follow up. In fact, he even brought out a report about a year ago—I think the title was *Doing Less with Less*—talking about amendments to the Nutrient Management Act in the regulations that essentially made it unenforceable. The Auditor General for Ontario in his 2007 annual report talked about hazardous waste, and how hazardous waste management in this province time after time is not followed through on; how the reports of waste coming out of generators do not match the report of waste received by receiving stations. Very commonly, more than 10% of that waste seems to have evaporated from the time it left the generator to the time it reached the receiver.

So when the government says to us, "Trust us. We have this enabling legislation. We'll go further, we'll be tougher, we'll make sure things are fine," I don't think there's a basis for that. I think for us, on the opposition side, to accept the government's protestations that leaving it all to regulation and their goodwill is going to result in environmental protection would be folly. This government has taken away the safety net of municipal powers to deal with this issue. It has done it against the protests of the municipal sector, against the best advice of those in the environmental sector, and is simply asking for a blank cheque. I don't think we can give it.

**Mr. Kevin Daniel Flynn:** It's a pleasure to follow the previous speaker, it's a pleasure to join Minister Gerretsen today in my remarks and it's a pleasure to join third reading debate on Bill 64. I've been privileged to be a part of the development of this legislation from day one. The intent, obviously, is to ban the sale and the use of cosmetic pesticides in Ontario. I'll tell you, I'm very proud to stand in support of this bill today, and I think we all should be. We've heard some views today—that's what this place is for, and I certainly don't want to diminish that—but it's time perhaps to inject some balance into the debate today. Some obviously feel—when you listen to the member for Thornhill—the bill exceeds—

*Interjection.*

**Mr. Kevin Daniel Flynn:** I guess that's right. Somebody does have to speak for that side, but some would feel that it goes too far. Some feel that it would not go far enough.

The Canadian Cancer Society in its remarks before the committee said that if this bill is passed, Ontario will have the strongest legislation in the country. I believe we'll have the strongest pesticide legislation in all of North America. That, to me, is a good thing. That is something that should be viewed as being a progressive step forward; we should be seizing this opportunity.

You talk about the value of the regulatory system and why you would leave certain decisions to the regulatory system. What I don't think we can underestimate, or we

shouldn't underestimate, is that there is still a desire within Ontario for people to maintain their properties—their flower beds, their lawns, their vegetable gardens. They want to do that with safer products. Using the regulatory system, you're going to allow for the approval of those products—safer products, green products, organic products—in a much more expedient way than if you were to enshrine that in legislation. So I can see the value for this in that process.

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I would probably associate myself with some of the sentiments that were expressed by the member for Toronto-Danforth. At the end of the day, we may not agree on the process or the strategy to achieve those, but certainly some of the sentiments—I was in the trenches with my own council in Oakville trying to develop legislation that mirrors what we have before us today. When I look back and I think of the reasons for that, we were doing that in the absence of provincial action. We were doing that simply because, as a council and as a municipality, we had very little experience in the enforcement or development of pesticide bylaws. We were forced into that position. We were put in a corner because the province and the federal government simply refused to act in that regard. My preference at the time, had we had a bill that had come forward similar to the bill that's being proposed today, was that I wanted to see that protection extended to all the people of Ontario. It seems to me what we need is a level of government that's prepared to take responsibility for the reduction of pesticides and allow that toughest protection to be extended to all people in the province of Ontario and not in select municipalities. If there's a reason a product shouldn't be used in Oakville, the product shouldn't be used in Markham, North York, London or Thunder Bay either. That seems to me to be the end game in this. We need to get tough legislation within the province of Ontario. I believe that this does that.

We're committed as a government—I think we've proven that, despite the remarks from the member for Toronto-Danforth—to both the health and safety of the people of Ontario and to preserving and protecting the environment. When you look at some of the environmental legislation that has been brought in over the last five years of the McGuinty government—take a look at the greenbelt legislation and Places to Grow—I think you've seen significant improvement. I know it's the role of the opposition to oppose, but I think even begrudgingly you have to admit that we've made some progress in the last five years, and I think we should be proud of that. This legislation blends those two goals together, the one of health and safety and the one of preservation and protecting the environment. Now, why would you do this? Why is it such a popular bill with the people of Ontario? Simply, it's going to ban the sale and use of pesticides for cosmetic purposes on lawns, gardens, parks and schoolyards across Ontario. It's a reasonable, prudent and practical step that's going to stop the unnecessary use of pesticides.



We know that all pesticides pose a risk. We know that when Health Canada says pesticides are safe, they're not saying they're safe. They're saying they pose a risk and then they classify the degree of that risk. It's an entirely different concept than saying that something is safe. What we want to do is protect Ontarians from the potential exposure they have from the use of products similar to this, to toxins, and particularly in this regard, the exposure of children who have greater exploratory behaviour. They're just curious little creatures who want to get down on the ground and pick up things and put them in their mouths. They're more likely to come in contact with pesticides than people who are playing on a golf course, for example. It just makes them more susceptible. I think we're really aiming at the young people.

It protects the environment. I think other speakers have talked about the cumulative effect of pesticides, or the combination of pesticides that are used, and that's a grave concern. We know that after a storm occurrence or rainfall, pesticides can run off. They flow into the tributaries, the rivers, and eventually that runoff makes its way into our drinking water supply. We often forget that what we put on the ground and what flows down into the rivers and the creeks from our community ends up in the Great Lakes and Lake Ontario, where Toronto, Oakville and a number of municipalities in the greater Toronto area draw their drinking water supply.

Many Ontario municipalities, some of which are represented here today, have already taken a stand against cosmetic pesticide use. I think they deserve to be applauded for that, because, as I said in my earlier remarks, they were prepared to step forward when no other level of government would. When the province of Ontario, under previous governments, wouldn't take that move and when the federal government was keeping the same old regime in place, municipalities stepped to the floor, and I think we do owe them a lot. My own community of Oakville is one of those communities that has regulated its use. When I talk to constituents within my own community, they're glad that we're doing this. They're grateful that a decision was made by the town of Oakville to implement a pesticide bylaw that came into effect at the beginning of this year. They feel that they should have a restriction on the use of pesticides and that the necessary protections are now in place for them and for their families.

We're joined by some members in the east members' gallery who have been stakeholders in this process. I think they deserve to be recognized or at least noted in Hansard. We've got Farrah Khan and Gideon Forman from the Canadian Association of Physicians for the Environment; Sari Merson is here, joining us from Pesticide Free Ontario; and Erin Shapero, a councillor from Markham who has been very active in this issue, has joined us as well to see the passage of this bill today, something that's long overdue.

As we move forward in this—and I do hope the bill passes today and we can get to work on the regulations—people are going to ask, “How do we safely dispose of

the pesticides we have if we can't use them anymore?” I'd like to remind all members of the House and certainly all members of the public that you should never put pesticides out in the garbage and you certainly should never pour them down the drain. They should be stored safely. Whatever municipal collection you have for household hazardous waste, you should put the products into that stream.

The ban that we proposed today I think makes sense. Cosmetic pesticides are simply not essential. We use them to make our lawns and our gardens more aesthetically pleasing, but that's not the only way we have to accomplish that aim. There are plenty of environmentally friendly alternatives.

In talking about the agriculture and forestry sectors, there has long been a focus on the safe use of pesticides. Farmers in the agricultural sector are required to take pesticide safety training. They're governed on the strict use and storage of pesticides as well. They're reducing pesticide use. If you look at the records of the agricultural community, surveys show a 52% reduction in pesticide use on agricultural crops in Ontario since 1983. That's almost half. Our farmers in the agricultural community want a safe, healthy and clean rural environment for their families, their crops and their livestock. Increasingly, and of their own volition, they are switching to lower-risk pesticides and they're starting to implement more and more integrated pest management programs, and that's beginning to reduce the reliance that the entire industry has on pesticides.

Like farmers, those workers and employees who are engaged in the practice of forestry are also required to meet stringent rules on the use, handling, storage and safety of pesticides. It's a collective responsibility. It's a trust we bear for our generation and future generations.

Currently, some pesticides are required to protect our forests from a range of native and, it seems increasingly, non-native insects and pests. We've seen the Jack pine budworm and the Asian long-horned beetle infestations in recent years. Even more, we're starting to understand that healthy forests really mitigate the effects of global warming and climate change. They're important, obviously, to the Ontario economy and to the national economy. The forest products industry in northern Ontario is a valued partner in our government's commitment to long-term forest health, and it includes the responsible use of pesticides.

As the minister mentioned, if Bill 64 is passed, the public and the stakeholders would be consulted extensively on regulations that establish the uses related to forestry, agriculture or any use that is proposed to be excepted from the proposed ban. Our government is going to bring in some regulations and conditions for the golf sector that don't exist today, so that any pesticide use on courses would have to meet a much, much higher standard than it does today. For example, some things we should be considering in the regulations: We could potentially ask these operations to obtain IPM accreditation. IPM is currently a voluntary program. We're saying that



perhaps it shouldn't be. Today, Ontario is home to 800 golf courses and counting, including 12 of the top 20 in Canada.

What I'm saying is that this piece of legislation is the start of a process that allows us to work together. It's one that I think is deserving of the support of all parties. I would hope, when the vote is taken, that all parties stand up for health, safety and a clean environment in Ontario.

1020

**Ms. Laurie Scott:** I'm pleased to say off the top that while my colleagues and I support the concept of eliminating non-essential use of pesticides to protect our health and environment in this province, having sat through committee hearings and having read the legislation, I have a number of concerns.

First and foremost, the word "cosmetic" has not been clearly defined and is left open to interpretation. Bill 64, the Cosmetic Pesticides Ban Act—I'll just say that for those at home who have maybe just tuned in—would see the government ban the cosmetic use of pesticides. Does this bill refer to cosmetic pesticides or does it refer to a cosmetic ban? What is cosmetic, the pesticide or the use? I'm not sure the minister or the folks on that side can answer that question. They certainly haven't answered the question to date, and the three pages of Bill 64 don't contain the answer. I would imagine it depends on which side of the issue you want to discuss.

This bill, in my opinion, has been presented as a "ban now, ask questions later" approach—political feel-good stuff, typical McGuintyism.

Many of the presenters we heard from felt the same. Wendy Fucile, the president of the Registered Nurses' Association of Ontario, began her testimony by saying that "Bill 64 has the potential to be an important step in the right direction, but we're not popping the champagne corks yet."

Gideon Forman from the Canadian Association of Physicians for the Environment suggested three amendments to the bill and spoke at length about the government limiting cities' ability with regard to pesticide use.

Sheila Clarke of the Canadian Federation of University Women, Ontario Council, proposed seven recommendations to Bill 64, while the Canadian Cancer Society made it clear that the bill is not sound in its current form.

Two days ago, a news release was issued from the Registered Nurses' Association of Ontario. The headline reads: "Health and environment groups sound alarm about pesticide bill." The news release says:

"Environmental and health care leaders are calling on the McGuinty government to act on flaws in the province's pesticide legislation to better protect the health of Ontarians.

"Bill 64 will ban the use and sale of pesticides for cosmetic purposes. However, as the bill winds its way through committee hearings and reading in the Legislature, a group of"—more than a dozen—"prominent health care and environmental organizations says the government must act on the bill's weaknesses."

Words and phrases like "shortfalls," "undermines public protection," "significant concerns," "disappointed," "gravely worried" and "loopholes" are rampant throughout a news release written by the very people this government was supposed to have listened to and consulted with.

How does this bill go awry? This news release is evidence that this government did not listen to the experts on either side of the issue.

What is Bill 64 based on? I have a few guesses, and I'm confident that it's based on political science, not on real scientific facts. There's been much doubt cast over the lack of scientific proof to support the Minister of the Environment in his banning of the use of cosmetic pesticides.

First, we heard from the Premier that municipalities could go above and beyond the legislation. Now we've heard that that wasn't true. That was an interesting contradiction of opinions—a nice way to start off this legislation. For months, the Premier and the minister have stated that this is about public health, but we've heard from the government's own health officials that this isn't the case.

Let me quote from the Ottawa Citizen of May 28:

"When I asked if this would change the government's view of the safety of 2,4-D, he responded 'It's not a safety issue.' Huh? Practically every statement the McGuinty government has made about the ban includes the claim that it will 'protect human health, especially children's health.' And that's not a safety issue?

"No," says the spokesperson,"—from the ministry. "The issue is not public health."

We've heard on a daily basis from municipalities, Health Canada and health experts who are seriously questioning the legislation. The minister has told the Premier that he is wrong. He's told Health Canada that they're wrong. He's told municipalities, farmers and small businesses that they're all wrong. Experts across the province have legitimate concerns about Bill 64 and they deserve to be heard through province-wide hearings on the regulations of the bill. So I question the minister's integrity if he refuses that democratic opportunity for experts across the province. Frankly, if this is about protecting the health of children, I think we should take this opportunity to get it right through expert advice, proper science and real facts. I think our children deserve that. They deserve to be given the facts when it comes to their protection.

My colleagues and I believe that we must immediately begin reducing the amount of toxins that Ontarians come in contact with each and every day. However, we also feel that Bill 64 duplicates work already being done at federal and municipal levels, while other environmental issues such as smog go unchecked by this government.

Lorne Hepworth from CropLife Canada summed things up best when he said, "We want to capture the benefits, but we too do not want to have any unnecessary risk, any unacceptable risk, to the public's health or the environment. We have children, we have grandchildren,



we have pets, and we like to play on the lawns and on the sports fields too, so I think from that standpoint we share in the goal of this legislation and the committee's approach to it.

"The bottom line, however, is that we also support the safe, proper and responsible use of Health-Canada-approved and -registered pesticides when their use is deemed essential."

This issue of banning pesticides is a very complex one. I can't stress enough that it needs to be based on science. We've seen this government, in their haste to please special interests, shut out other approaches and actively work to ensure that science doesn't get in the way of a great headline or a great photo op. Many would agree this bill does not appear to be based on anything close to consensus or any examination of neutral objective research, evidence or science.

As the bill stands, it suggests that there's something inherently wrong with the pesticide products currently for sale in Ontario. One is left scratching one's head on this because Health Canada and other internationally known research organizations disagree with the idea suggested by the government that there is something wrong with various herbicides, fungicides, algacides and insecticides that control pests in our environment. Up until now, the province has become content with the fact that Health Canada sets the standards on pesticides in this country.

The Premier and the minister are implying that they now know better than Health Canada. It's a very similar theme from the McGuinty Liberals: They know better. If this government thinks Health Canada is wrong when it comes to pesticides, do you also think they are wrong when it comes to other areas of jurisdiction such as pharmaceuticals? If members opposite are sitting on information suggesting that we can no longer trust Health Canada, then I think it's time they brought that information forward.

Bill 64 also establishes a double standard for health of urban residents compared to rural residents as well as those working on golf courses and those on farms and in the forestry industry. Scotts Canada made a submission to the Environmental Bill of Rights that I'd like to quote in part: "A ban focusing on towns and cities while ignoring rural areas would be seriously flawed. To introduce a ban on the use of Health-Canada-approved pest control products in urban centres while permitting their use in rural settings establishes two standards of health and safety for Ontario residents. Clearly where our health and the health of the environment is concerned, a double standard is neither desirable nor acceptable." That says it all.

The Ontario Federation of Agriculture, Ontario's largest farm organization, said, "Banning pesticide use in urban settings while maintaining they are safe in agriculture undermines the public's confidence in farming, the safety of our food supply and Health Canada's regulatory safeguards."

Prior to the provincial election last fall, the Premier was on the Bill Carroll Show on CFRB. While on the

show, Premier McGuinty was asked about the pesticide legislation and was reported to have said that banning pesticides for cosmetic purposes is the first step. So I question: What is the next step?

Those in the forestry and farming sectors are allowed to use the chemicals because they are bound by stringent training on the application and storage of pesticides. Farmers are required to be certified under the grower pesticide safety course before they can purchase pesticides, let alone use them. Recertification is required every five years. Common sense should tell you that a product is not more or less toxic depending on where it is applied. Therefore, perhaps this government will examine the benefits of educating and training. This certainly may be a more effective route to take than trying to enforce this legislation. Enforcement is something we've heard very little about from that government side.

Exemption for the agriculture and forestry industries is a good thing, but I've spoken to representatives from both sectors who fear that the bill has the possibility of becoming a slippery slope. Rural Ontarians are well aware of the government's track record. It has them worried.

There is a place for pesticides in Ontario. Without them, farmers would be hard pressed to grow consumable products. What about infestations of emerald ash borer or gypsy moth? What about infestations that could wipe out many trees and tree cover that provide cooling effects? During committee, we heard from municipalities that admitted to using larvicides, which are pesticides, to control mosquito populations that can cause West Nile virus. The members opposite like to talk about the risks associated with pesticides because it's politically friendly to the ear, but there are many benefits as well if used properly. That's where education and training come into play. This is where public hearings could be so important; to hear what the experts have to say in how best to proceed.

#### 1030

I agree with Craig Hunter from the Ontario Fruit and Vegetable Growers' Association, who told the committee that he supports "the elimination of misuse, overuse and unnecessary use of any pesticide in any venue. It is essential that to be able to do so, one must know what safe use, appropriate use and justified use are. It takes education and training, like any other complicated issue we deal with in society today." I think we all agree that protecting human health and the environment are paramount.

Bill 64, at the mere three pages that it is, is short on facts, big on rhetoric; the Ministry of the Environment has been as well. If this bill passes, there is a lot of work to be done, as there is the potential for the devil in the details. I'm not sure that the minister wants the devil to be ousted from those details.

I want to refer to the Endangered Species Act and the forestry sector, which certainly feels that the government has double-crossed them as it moves through the regulatory process. The government gave the forestry sector a commitment in writing to recognize their forest manage-



ment practices, which have long been a world-renowned platinum standard for excellence in forestry. Our forest management practices have worked in support of endangered species, and the science proves that species have been brought back from the brink under current forestry practices: species like caribou, red-shouldered hawks and bald eagles.

A few weeks ago, under the regulatory process, with the Endangered Species Act, the McGuinty government sent a clear signal to the forestry sector that it would not honour its commitment to provide for long-term regulation under the new Endangered Species Act. That sets a very scary precedent, that the regulations and the process that are going to take place with this bill have taken place with the Endangered Species Act.

It was mentioned about the short notice for committee hearings and how people just did not know in time. Some people actually flew, on blind faith, from Ottawa hoping to get on the schedule. That is not the proper way to conduct public committee hearings. The government, again, was doing this all quickly; not enough details, not really wanting to hear from the people, especially people from rural Ontario.

Let me quote from the member from Huron—Bruce on Bill 64 from May 26. I just want to make sure she's listening. "I look forward to the hearings, and they should come to rural Ontario, where they will be very graciously received by the McGuinty government." You can check that Hansard from May 26. I don't know if she has been sleeping or a little slow at the switch because, as sincere as she tries to let on, I say to the member for Huron—Bruce, your own McGuinty Liberals haven't graciously received rural Ontario. As a matter of fact, the environment minister shut them out, and you can read the letter from Geri Kamenz, the president of the Ontario Federation of Agriculture, in that respect.

Yesterday I asked in question period to the Minister of the Environment if hearings would be held across the province and in rural Ontario: no answer; lots of the usual rhetoric; lack of facts. It's regrettable that a bill of this level of importance has been rammed through the House and committee.

The parliamentary assistant for the environment, the member for Oakville, has said he has faith in the agriculture sector. So I say: Why are you shutting them out? Why didn't you give more time for them to appear? I ask again to the Minister of the Environment: Will you take the hearings on these regulations to rural Ontario, take them public and across the province? The Minister of Agriculture, Food and Rural Affairs: Where has she been in this whole picture? This is important legislation and it has not had its open hearings for the public across the province. One day of hearings in Toronto just does not cut it.

I'm running short on time. The devil's in the details, as we've said about this bill. I'm calling on the government to do its due diligence and open transparency. I want the Minister of the Environment to go on record that he will take the regulations across the province for hearings.

Yesterday's National Post carried an article on the lack of validity of this bill: "When Ontario's environment minister, John Gerretsen, was asked last week about Health Canada's finding on the safety of 2,4-D, he raised another issue. Health Canada, he said, was looking at pesticides on a 'product-by-product' basis. That's not good enough."

Another quote from the article: "It's easy to lay the charges and mount a campaign, to convey fear and uncertainty, compared with the dry business of actually conducting a science review.... You make stuff up, exaggerate the risks, politicize the subject and spin it into a corporate and ideological battle. And, above all, you ignore the facts."

That seems to be nailing what's happening here right on the head. Ontarians and children certainly deserve real action from their environment minister. If the health of Ontarians and our environment is truly to be taken seriously, then we should have serious legislation that will improve the health of Ontarians, and this legislation certainly does not cut it.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? Debate having concluded, in accordance with agreement in the House earlier today the question on the motion of third reading of Bill 64 will be put forward following petitions.

*Third reading vote deferred.*

**The Deputy Speaker (Mr. Bruce Crozier):** The House is now recessed until 10:45 of the clock.

*The House recessed from 1036 to 1045.*

## ESTIMATES

**Hon. Dwight Duncan:** I have a message from the Administrator of the government signed by his own hand.

**The Speaker (Hon. Steve Peters):** The Administrator of the government transmits estimates of certain sums required for the services of the province for the year ending 31 March 2009 and recommends them to the Legislative Assembly.

## INTRODUCTION OF VISITORS

**The Speaker (Hon. Steve Peters):** I would like to take this opportunity to welcome a number of guests here today.

On behalf of the member from Scarborough Southwest, Mr. Ed Green, who is celebrating his 60th birthday.

On behalf of page Murray Fallis, his aunt Joanne Cooper and his cousin Jane Cooper, in the public gallery.

On behalf of page Damian Ewing, his brother Xander Ewing, in the public gallery.

As well, on behalf of the member from Thornhill and myself as Speaker, we'd like to welcome in the Speaker's gallery today grade 7 and 8 students from Henderson Avenue Public School and my good friend, one of their teachers, Malcolm Crawford. Welcome to Queen's Park today.

As well, in the Speaker's gallery, I would like the members to recognize the outgoing chief administrative



officer from the Police Association of Ontario, Mr. Bruce Miller, and the incoming chief administrative officer, Ron Middel. Bruce, thank you for everything you've done. Welcome, Ron.

As well, we'd like to welcome back our guests who are visiting from the Imo State House of Assembly in Nigeria. Joining the delegation this morning is the Right Honourable Goodluck Nanah Opiah, the Speaker of the Imo State House of Assembly, and his guests. Mr. Speaker, welcome to Queen's Park today.

**Interjection:** The Right Honourable.

**The Speaker (Hon. Steve Peters):** The Right Honourable, yes. I like that. The Speaker likes that title, Mr. Speaker.

## LEGISLATIVE PAGES

**The Speaker (Hon. Steve Peters):** As Speaker, not to presume anything, but since this might be the last day that the House meets—not to presume anything—I'd like to take this opportunity to thank this wonderful group of pages for the fine work that they've done on our behalf. We wish them a safe summer and thank them all very much.

*Applause.*

**The Speaker (Hon. Steve Peters):** With that, it is now time for oral questions.

## ORAL QUESTIONS

### C. DIFFICILE

**Mrs. Elizabeth Witmer:** As we embark on what may be our last question period for this session, my question is addressed to the Minister of Health. Yesterday, the Ombudsman described the almost 300 known C. difficile deaths in Ontario as a tragedy. He said that perhaps the government is hesitant to call an independent external investigation into the deaths because it is trying to contain an embarrassing situation. Minister, is that why you continue to resist the public call for an investigation into C. difficile?

**Hon. George Smitherman:** I think it has been said in this House many times that there's a lot of information in the public domain about C. difficile. There has been a lot of information in the public domain about C. difficile. Indeed, hospitals in Ontario obviously grapple with its challenges every single day and with a variety of other known risk factors for patients.

Our sympathy is with people who experience less than ideal circumstances, for sure, but we have the opportunity to take action in a very, very swift way. The transparency associated with what we're bringing into place on September 30 will be a powerful influence for patients, under the leadership of Dr. Michael Baker from the University Health Network, who will emerge as a very public spokesperson on behalf of patients for the circum-

stances. We think that this is the most appropriate way to move forward and to make effect in the most swift circumstances.

1050

**Mrs. Elizabeth Witmer:** The fact is that this minister is unwilling to do what other ministers of health throughout the world have done; that is, when there are a significant number of deaths occurring and no explanation for them, there's an inquiry held. I have no doubt that Dr. Baker, in the future, will do a job that needs to be done. However, we're going back. We need to find out what happened and why and make sure it doesn't happen again.

I don't want to hear any more excuses from this minister as to why he will not address this tragedy. I told you yesterday that I had received letters from people who have either had C. difficile or who had lost loved ones to C. difficile. They want answers. They realize you've had four years and done nothing. You didn't heed the warnings. You haven't even yet brought in mandatory reporting. I ask you today, will you listen to the call for an inquiry from—

**The Speaker (Hon. Steve Peters):** Thank you. Minister?

**Hon. George Smitherman:** There she goes again, saying that the people in health care in Ontario have done nothing; that the hospitals in the province of Ontario, who run their facilities and have the obligation for cleaning them, as an example, have done nothing; that the deployment of infection control practitioners across the province of Ontario is nothing; that forming the Provincial Infectious Diseases Advisory Committee, that's had circulars and given advice to hospitals, was doing nothing; that creating 14 infection control networks is to do nothing.

But not to mention that this issue has been studied substantially: A coroner's report on offer, an investigation into circumstances at Jo Brant, gives us the information that we need and that hospitals require to do the appropriate things in the circumstances, along with the public reporting regime, which will dramatically enhance the transparency associated with patient-safety circumstances in hospitals across the province of Ontario.

**Mrs. Elizabeth Witmer:** There's only one individual who has not taken decisive action: the minister. Our health providers, our people in hospitals and elsewhere, have done the best they can without strong, coordinated leadership from the top.

This minister can no longer divest himself of responsibility and accountability for this tragedy. He has turned his back on the victims and their families. He's turned his back on the opposition and requests from the Ombudsman to address this tragedy and call an inquiry.

As a result, today we have filed a motion of non-confidence in the government for failing to take action on behalf of Ontarians to address this issue. I give you one more opportunity to acknowledge that you will establish an independent inquiry into the deaths.



**Hon. George Smitherman:** It's interesting that the honourable member uses the expression "turn her back," because we remember the circumstances when Mike Harris did that to the former chief medical officer of health in our province. He's a CMOH still in our province, Dr. Richard Schabas, and here's what he said on the matter of an inquiry: "I'm not sure a public inquiry is necessarily the logical next step. They often make for good theatre but they don't get us where we need to go, which is to address this problem in a vigorous and effective way, and I think largely we already know what the underlying problems are with C. difficile."

It's not that the information is unknown, it's that the honourable member wants to take a few years and engage a lot of lawyers in an investigation, where we think it's more important to engage clinicians and the people who are on the front lines of health care to take all the appropriate, necessary and available steps to address this circumstance, which has been a known commodity in hospital environments for many, many years.

#### SCHOOL SAFETY

**Mr. Frank Klees:** To the Minister of Education: Yesterday, the minister finally acknowledged that, unlike failing to report suspected abuse at the hands of a parent, currently there is no offence in legislation when school officials fail to report student-on-student assaults to parents and police.

It begs the question: Why should it matter who assaults a child before the very people who are entrusted with the responsibility for their safety are required to act? So can the minister explain how she can justify standing by and doing nothing, knowing that there is a clear double standard in law when it comes to the protection of Ontario's children?

**Hon. Kathleen O. Wynne:** Just to be clear, as I have been as this question has been asked over the last few days, our interest on this side of the House is to make sure that every child in the publicly funded education system receives the oversight and the service that they need. There are police/school board protocols in place that require reporting in particular incidents. We're looking at those protocols. We're also looking at the various pieces of legislation that have reporting mechanisms in them to make sure that we have the correct mechanisms in place.

I'm sure that the member opposite is aware of a letter that has come from the Ontario Principals' Council that says, "Be very cautious about changes that you make to reporting mechanisms because, as we know, principals in our schools need to have discretion in dealing with the children in the system."

The reason that the safe schools action team is looking at the reporting mechanisms is that we—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary?

**Mr. Frank Klees:** The minister admitted in the House yesterday that there is a serious gap in the law. Because

of that gap in the law, the charges against the principal of C.W. Jefferys school in Toronto for failing to report a sexual assault are going to be tossed out by the court, and she knows it.

I suspect that the minister has known about that for more than a year and has done nothing. The situation at C.W. Jefferys and at the York region school were not minor shoving matches; they were serious acts of violence.

If the minister is really on the side of students and on the side of parents, she would close that glaring loophole today. And if she isn't on the side of children and of parents, whose side is she on?

**Hon. Kathleen O. Wynne:** It is quite clear to me that in the instance that the member is talking about in the York Catholic board, there were breaches of protocol. It has been very clearly stated by the board that that happened, and there has been action taken by the board. There was a protocol in place and that protocol was breached.

It is the responsibility of the Minister of Education to make policies that are reasonable and rational and that address the issues across the system. The fact is that the reason the safe schools action team is looking at the reporting mechanisms across the province in all pieces of legislation is so that I, as the minister, can make recommendations about changes to legislation if that's necessary so that those gaps can be closed.

To the contrary of what the member opposite said, I have taken action in the most reasonable method possible. What I have not done is written policy on the back of—

**The Speaker (Hon. Steve Peters):** Thank you. Final supplementary?

**Mr. Frank Klees:** The fact is that parents across this province are absolutely shocked to know that there are no legal consequences when school officials fail to protect their children, and they're becoming increasingly concerned to see this minister's lack of concern and lack of immediate action.

Yesterday, perhaps the minister gave us an insight into why she's not acting. She said this: "It will come as no surprise to anyone in this House that I, as the Minister of Education, am not going to endorse policy on the basis of the member opposite's recommendation...." Well, if she won't take my recommendation, will she listen to parents across this province who are appealing to her? There is no more need for studies, Minister. There is no need for drawn-out consultations. What we need is a minister to act. I ask the minister again: Will she bring in immediate legislation and put children and parents first, and if not, what lobby has managed to get her ear?

**Hon. Kathleen O. Wynne:** Since we came into office in 2003, we've been putting children and families first on this side of the House in every piece of legislation that we have introduced. Our *raison d'être* as a government is to make sure that children and families in this province have the protections that they need. We were elected to restore publicly funded education in this province because it had been ravaged by the members opposite.



He is absolutely right: I will not take the advice of the member opposite alone. I have already said that it is of great concern to me that the parents in this case did not get the information that they needed. One of the reasons that the safe schools action team is looking at the reporting mechanisms is to make sure that that does not happen again.

1100

### HEALTH CARE OVERSIGHT

**M<sup>me</sup> France Gélinas:** My question is for the Deputy Premier. Why is this government refusing to allow Ombudsman oversight of hospitals and long-term-care homes?

**Hon. George Smitherman:** The Ombudsman has substantial involvement in a variety of oversight responsibilities related, as an example, to the Ministry of Health. In the case of hospitals in particular, these are organizations that have a community governance model. That's a very special feature of the Ontario health care system. It varies substantially from the model of regional health authorities in other provinces, where community-based individuals, people selected from the local community, are not involved in providing governance. Accordingly, that has been a very substantial distinction.

In the case of long-term care, a very substantial and different compliance regime is in place, which allows for timely response to concerns about the care that people are receiving. We believe that it's necessary to continue to offer that on a real-time basis through the 1-800 action line and that this offers substantial assurance of quality to the people of the province of Ontario.

**M<sup>me</sup> France Gélinas:** Boards of directors of hospitals are there to provide good governance to their local hospitals. That has nothing to do with the third party, independent investigating skills that the Ombudsman brings. There's nothing in governance that even relates to investigating complaints. We've had community governance for a long time, but Ontarians still have questions. They have questions about C. difficile that haven't been investigated.

Ontario's Ombudsman says that C. difficile deaths would have been investigated by his office if the government had not refused. Some of the 260 deaths could possibly have been prevented. Knowing that Ontario is the only province without Ombudsman oversight, what excuse does the government have to continue to refuse Ombudsman oversight of hospitals?

**Hon. George Smitherman:** Why is it that the honourable member accepts some oversight but not others? Why is it that the coroner, with substantial powers backed up in law to investigate these matters, has thoroughly done so in the circumstances of Sault Ste. Marie? Does that not prove to be a satisfactory mechanism in the very specific circumstances that the honourable member raises?

We feel, and other experts from the coroner's office to the chief medical officer of health to local medical officers of health agree, that the information that hospitals

need to address circumstances related to patient safety is in their hands. We're going to be adding a very significant degree of transparency, which will be a very powerful influence for all people in the province of Ontario to have very timely information about a wide variety of patient safety circumstances in their hospital environments.

**M<sup>me</sup> France Gélinas:** Those other ways of bringing accountability do exist in other provinces, but they still have Ombudsman oversight. They have this third party, independent Ombudsman who brings closure to complaints.

Here's how the Ombudsman himself characterized the government's refusal. He said, "What is the hesitancy? One is, fundamentally, that they're trying to contain perhaps an embarrassing situation...."

Ontarians deserve better than a government that chooses to hide embarrassing situations instead of doing the right thing. Ontarians deserve to have their individual complaints about hospital care investigated by an independent, neutral third party, as every other province in Canada does. Why won't the government do the right thing and allow Ombudsman oversight of hospitals and long-term care?

**Hon. George Smitherman:** We think that on matters related to the clinical performance in a hospital, it's far more relevant that we take advantage of the information that we have to have clinicians—Dr. Michael Baker in this circumstance—lead us forward in a way that dramatically enhances the transparency that's available with respect to the performance of Ontario's hospitals.

In addition, through things like wait times, we've dramatically enhanced the amount of information that people have about the performance of their hospitals. We've added the powers to the Auditor General to do value-for-money audits of the hospital sector in addition to others.

These are all examples of how we've dramatically enhanced the transparency and accountability of the hospital environment. I think this is a very substantial way to move forward to deliver on the better-results performance that we anticipate will be possible and that we expect from our hospital environments.

### CHILDREN'S AID SOCIETIES

**Ms. Andrea Horwath:** This is to the Deputy Premier: More often than not, the government's Child and Family Services Review Board closes the door on families who have complaints about Ontario's child welfare protection system. This board in no way substitutes for the truly independent avenue that is available from the Ombudsman's office.

Why does the McGuinty government continue to block the Ontario Ombudsman from looking into children's aid societies, something that the Ombudsman himself has been requesting, in fact most recently in yesterday's report?

**Hon. George Smitherman:** To the Minister of Children and Youth Services.



**Hon. Deborah Matthews:** As the member opposite well knows, we do require CASs to have clear, transparent and consistent complaint processes. We established the Child and Family Services Review Board as the authority to hear complaints and review decisions made by the CASs. This board is subject to investigation by the Ombudsman and judicial review by the courts. In addition, we have created the independent office of the Provincial Advocate for Children and Youth.

**Ms. Andrea Horwath:** The Ombudsman is actually quite pointed: The McGuinty government's way has failed miserably. Even the government's own appointee to the Child and Family Services Review Board told us that the board's scope is inadequate. Here's what Sheena Scott, the government's own appointee, said on May 27 about bringing Ombudsman oversight to the CAS: "Arm's-length independent oversight is something that is consistent with international and domestic law."

If independent Ombudsman oversight is the preferred model in the eyes of so many experts, including the government's own appointee, the Ontario Bar Association, justice stakeholders and the Ombudsman himself, what stands in the way of bringing Ontario into line with international domestic law and allowing families to appeal children's aid society decisions to the Ombudsman?

**Hon. Deborah Matthews:** Let me repeat: There is a process in place where complaints to the CAS can be dealt with. We have required CASs to establish a clear complaint process so that family members and others know exactly what steps they must take and how to lodge appropriate complaints. They are dealt with at the CAS level. We also have a Child and Family Services Review Board. It has the authority to hear the complaints and review decisions made by CASs. The Ombudsman can also review these decisions, as well as the courts.

**Ms. Andrea Horwath:** Let me repeat: It's not working. Hundreds of complaints are still going to the Ombudsman's office. People are not satisfied with this government's poor solution to the problem.

Last week, I actually introduced legislation once again that would enshrine the Ombudsman's oversight of children's aid societies in this province. Why won't the minister endorse this idea of bringing Ontario into line with many other jurisdictions across Canada? It's the very least that children and families deserve. In fact, it would be interesting for everyone in this chamber to know that even children are calling the Ombudsman's office, which is in his report, asking for him to have oversight into their complaints.

**Hon. Deborah Matthews:** I don't know quite how to answer this any differently than I've already answered it. Every CAS must have a clear and transparent complaint process. CASs are administered by community boards of directors. There's a clear and transparent complaint process in every CAS across the province.

We also have the Child and Family Services Review Board, which has the authority to hear complaints and review those decisions. The board is subject to investigation by the Ombudsman and judicial review by the

courts. There is a process; the process is clear and transparent.

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## TOURISM

**Mr. Ted Arnott:** My question is once again for the Minister of Tourism. A survey released this morning from Harris/Decima shows that more and more Ontarians are choosing to stay at home rather than dine out, a growing trend which hurts our hospitality industry. Consumer confidence appears to be plunging, and confidence in this government is sure to follow.

As gasoline prices, food prices and the cost of living soar, the McGuinty government is doing nothing to help struggling families this summer. Will the minister move immediately to implement John Tory's plan to remove the retail sales tax from accommodation and attractions for this summer?

**Hon. Peter Fonseca:** Here go the nega-Tories again in our province with a short-term band-aid solution to the challenges that, yes, are being faced by the tourism sector.

Our government has worked very, very closely with our partners in the tourism industry over the last five years. Our plan includes short-term initiatives as well as a long-term strategy and road map for tourism here in Ontario. We've invested in festivals and events across this province to boost local economies to make sure that people have attractions and experiences within their local place. We understand that 80% of our tourism market is domestic; it's Ontarians travelling within Ontario. That's why we've had a very successful campaign that was launched last year called "There's no place like this." Compared to a year before, the time that this campaign ran, we actually saw a 5% jump in our—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary?

**Mr. Ted Arnott:** Data from the ministry show that hotel performance in the province in the first quarter of 2008 declined substantially relative to the same period last year. No doubt the minister will hear the same thing when he meets with the Tourism Industry Association of Ontario later today. Our caucus has given you an answer. Support for John Tory's proposal continues to grow.

Beth Potter from the Ontario Private Campground Association tells us that her members experienced a minuscule 14% occupancy rate for overnight stays in May, as compared to an almost 100% occupancy rate last year over the May long weekend. In fact, this year several campgrounds had not even a single camper in their parks for the long weekend.

My question is this: Why won't the minister stand in his place today as Minister of Tourism and be an advocate for tourism instead of being an apologist for his do-nothing government?

**Hon. Peter Fonseca:** I am here to champion Ontario tourism. Unfortunately, the member in that party over there wants to talk down Ontario, wants to be negative on



Ontario. What we're here to do is champion all the great things there are to do and see across this magnificent province. We want to talk about Muskoka. We want to talk about the Niagara region. We want to talk about the north. We want to talk about our border communities like Windsor. We want to talk about great cities; about Prince Edward county.

We are here working with our partners, and I will be meeting with the Tourism Industry Association of Ontario later today. They have told us that our plan is the right plan for this tourism sector today and for the future.

### LONG-TERM CARE

**M<sup>me</sup> France Gélinas:** Ma question est pour le ministre de la Santé et des Soins de longue durée. Can the minister tell us what in the Sharkey report prevents him from bringing in minimum standards of long-term care as he's repeatedly promised before?

**Hon. George Smitherman:** I want to say to the honourable member, and she was there yesterday, so she knows the answer to this, that there is nothing that prevents the implementation of a minimum standard. In fact, we passed legislation that allows us to be able to do so.

I would be interested to know her views, once she's consumed the report, on the premise that the report offers, which is that, on investigation, a number alone is not what ensures quality performance in the long-term-care sector. I said yesterday that that's still an option, but the report pushes us further and says that numbers alone do not ensure the quality outcome that we wish on behalf of our residents. I'm very interested to know the member's views about the report and I encourage other people to read it and pass along their views.

**M<sup>me</sup> France Gélinas:** We realize that the minister can and should put into regulation a minimum standard of care. A minimum standard of care is the safest way to make sure residents in long-term-care facilities get what they deserve. After a lifetime of building our province and caring for their families, our seniors deserve better. Over and over again, this minister promised that a minimum standard of hands-on care would be there in regulation. Why is he breaking a promise? Why is he letting the most vulnerable down? Why won't he put it in regulation right now?

**Hon. George Smitherman:** I want to say to the honourable member that everyone in this House agrees on one thing: More staffing in long-term care is the answer. That's why our budget continues to deliver on advancements in care: over the next three years, 600 million additional dollars to provide for 4,500 additional workers. We all agree: More workers is the answer.

I would really encourage the honourable member to move beyond the rhetoric which she has just used in her question and to read the report and give me her view, because Ms. Sharkey challenges us to a spot further along than the rhetoric that you just used. We all agree that these are vulnerable residents. We all agree that they've built our country and our province. But the report

says that a number alone doesn't cut it. It encourages us to be more sophisticated. I ask the honourable member to take a bit of time and engage the report. We can bring in a minimum standard, but that alone is not the best way to the quality that we all seek. The report challenges us to reconsider that. I really want the honourable member to give me—

**The Speaker (Hon. Steve Peters):** New question.

### FIRE SAFETY

**Mrs. Linda Jeffrey:** My question is to the Minister of Municipal Affairs and Housing. Minister, as you know, I've been a proponent of residential sprinklers since arriving in this Legislature. In January of this year, the Premier expressed a desire to make high-rise buildings safer by harmonizing our building code with the model National Building Code of Canada and with the requirements in force in other Canadian and US jurisdictions. Minister, my question is: When do you foresee some building code changes coming forward based on the consultations your ministry began in February and ended in May of this year?

**Hon. Jim Watson:** Let me begin by thanking the member for Brampton-Springdale. There is no greater champion for fire safety in this Legislative Assembly than that member who just asked the question.

Ontario is the only jurisdiction in Canada that does not require sprinklers in residential buildings over three storeys. That's why today I am pleased to announce that effective April 1, 2010, all high-rise residential buildings over three storeys will require a fire sprinkler system in them.

I want to thank the honourable member for her work on this particular issue.

Since 1983, over 447 lives have been lost in high-rise residential buildings. That's why we have moved forward after consulting the fire marshal and others—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary?

**Mrs. Linda Jeffrey:** Minister, this is wonderful news. I'm really pleased with the speed of these proposed regulations, the fact that they've come forward this quickly.

Minister, because we want to continue to move forward on making our buildings safer in the future and to continue the dialogue we began with our stakeholders in February, how can municipalities, builders and other interested groups like the Ontario Municipal Fire Prevention Officers' Association and the Ontario fire chiefs provide recommendations to your ministry in the upcoming building code review in 2010?

**Hon. Jim Watson:** Let me just inform the member and all members of the House and the public what the process is. Every five years, our ministry conducts a review of the building code.

I want to thank the member for bringing the fire chiefs from around the province, who risk their lives every day, to the Legislative Assembly.



I can tell the member that there will be a wide consultation process in advance of the 2010 building code review—a wide cross-section of the public, from developers, municipalities, firefighters, fire chiefs, the fire marshal and others, and great co-operation from my colleague Minister Bartolucci. We will ensure that all these consultations go into the process. Members of the public can also contact us through our website, [ontario.ca/buildingcode](http://ontario.ca/buildingcode), or by calling our ministry office. We're interested in the public's input. We're interested in the public's point of view.

We again thank very much the member from Brampton–Springdale for bringing this issue—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

### FOREST INDUSTRY

**Mr. John Yakabuski:** My question is for the Minister of Natural Resources. Minister, you'll know that the British Columbia government has recently partnered with the federal government to provide lumber and expertise needed to build temporary and permanent shelters to help the beleaguered earthquake area in China. This is not only going to help the victims of the earthquake and those survivors, but it's going to help the BC lumber industry, which is suffering, as you know. But here in Ontario, our lumber industry in northern Ontario, in my riding of Renfrew–Nipissing–Pembroke and all across the province is hurting as well.

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My question is simple: Will you step up to the plate for our beleaguered industry and sit down with the federal government to negotiate and work on the same kind of deal, so that our lumber industry can benefit by sending that kind of expertise and quality Canadian product over to China as well? Will you do that?

**Hon. Donna H. Cansfield:** I thank the member for the question. Without doubt, we're open to all possibilities in working with the federal government. I'd be more than happy to continue to make the call to the federal Minister of Natural Resources, who for some unknown reason doesn't answer the phone and doesn't call back. But I'd be more than happy to follow through, any time that we can be of support and benefit to the forest industry, to sit down and have a discussion.

Our challenge, obviously, is the issue of transportation and distribution. We do not sit on an ocean; we actually have to go through the Great Lakes. Having said that, I think it's well worth following through with and I'd be more than happy—maybe the member could help me by asking Mr. Lunn to pick up the phone.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Norm Miller:** Well, Minister, it is time for you to do something for the people supported by the forestry industry.

Last week, Thunder Bay passed a resolution calling on your government to enact a long-term regulation that recognizes that the primary objectives of the Endangered

Species Act are met through the Crown Forest Sustainability Act and forest management plans. Kenora is poised to pass a similar resolution. All this because you broke another promise to the people of Ontario.

Instead of basing your decisions on junk science provided by special interest groups, you should consider some facts.

*Interjections.*

**Mr. Norm Miller:** These are both connected with forestry and the support of communities in Ontario, Mr. Speaker.

Of the 16 species added to the Endangered Species Act list in Ontario, not one of them is found in northern Ontario and not one of them is linked to forestry practices.

If you won't honour your initial commitment, will you at least agree to hold off on any new job-killing red tape so you can hear directly from the people in communities of northern and rural Ontario?

**Hon. Donna H. Cansfield:** I'm more than pleased to respond. I find it fascinating that the member is not prepared to accept what the Canadian government, our government and the government of British Columbia have determined; that is, that the forest-dwelling woodland caribou is a species at risk, and has been for the number of years that we've been working on a caribou recovery strategy.

Having said that, the Premier was very clear in the letter to the industry that we would be incorporating the Endangered Species Act in the forest management plans. We have a good standard on which to build a good foundation, and we will do that. Our first meeting will be on July 8, when we have invited the industry to come and sit down with us and work towards finding a solution that works for the forest industry. That's the way we work over here. We bring people together: We have a problem and we find a solution. That is exactly what we intend to do.

### EDUCATION FUNDING

**Mr. Rosario Marchese:** To the Minister of Education: The Ombudsman says that your mantra of openness, transparency and accountability has yet to filter to education. Parents are still in the dark.

I remember a time when you and so many of your colleagues used to rail against government obfuscation. The minister seems to have forgotten that her party promised a standing committee on education spending. Since the minister is unwilling to turn on the light on education finances, when will she allow the Ombudsman to do the job?

**Hon. Kathleen O. Wynne:** What's really important is that we have public accountability mechanisms in place. That's why we require boards to provide detailed and ongoing budget reports. In fact, since we've been in office, the number of reports and mechanisms that have been put in place has increased.



A good example comes from a report that the Auditor General put in place, questioning the expenditure of ESL—English as a second language—dollars. What has resulted from that is that we now require boards to explain to us where those English-as-a-second-language dollars are spent, what the programs are and what the benefits to students are. So quite the contrary: I think what we've done is increased accountability. That's what people need to know, that the public accountability is in place.

**Mr. Rosario Marchese:** When the minister wants the Ombudsman to look into select school board finances, she lets the watchdog loose. But when parents want their complaints investigated, she holds the watchdog back. How convenient.

The public has a right to know what, how and where education dollars are spent. That is why five other provinces have allowed Ombudsman oversight over school boards. When will this minister turn on the light and give the Ontario Ombudsman oversight over school boards?

**Hon. Kathleen O. Wynne:** The fact that the Auditor General has the right to investigate and goes into school boards is absolutely important oversight. I guess the question is why one measure of oversight is better than another. You're talking about board finances. The Auditor General looks at school boards and gives us recommendations and makes a critique of how board finances are managed.

The fact that there has had to be supervision in a board recently in the Toronto area, I would suggest, is demonstration of the system working. We know that when those systems are not working, when the accountability is not in place, when there are breaches of protocols and guidelines, then there needs to be action taken by the government. That's what we've done. The public accountability measures are in place and are increasing.

## SERVICES EN FRANÇAIS

**M. Jean-Marc Lalonde:** My question is to the minister responsible for francophone affairs.

Un moment historique a eu lieu hier pour les francophones de l'Ontario. Le Commissaire aux services en français, M<sup>e</sup> François Boileau, a déposé son premier rapport visant l'accroissement de la qualité des services en français offerts par l'ensemble des ministères du gouvernement de l'Ontario. Suite au dépôt de ce rapport, j'aimerais demander à la ministre déléguée aux Affaires francophones, l'honorable Madeleine Meilleur, quelles sont ses réactions initiales face à ce tout premier rapport.

**L'hon. Madeleine Meilleur:** Premièrement, j'aimerais remercier le commissaire, M. Boileau, qui est ici avec nous aujourd'hui dans la galerie, pour son premier rapport.

Oui, en effet, la remise de ce rapport est un événement historique, puisqu'il s'agit d'un premier rapport du Commissaire aux services en français dont le poste vient d'être créé.

Le rapport contient des recommandations sur l'état des services en français en Ontario, les principaux enjeux qu'il a relevés et les réalisations dont il a été témoin depuis sa nomination. Le dépôt de ce rapport est le fruit d'un long processus visant à accroître la transparence et la responsabilité au chapitre des services en français en Ontario, envers lesquels le gouvernement demeure engagé. Il marque aussi le début d'une nouvelle collaboration constructive entre les ministères et le commissaire, un partenariat qui misera sur les progrès faits jusqu'à présent dans le domaine des services en français.

**M. Jean-Marc Lalonde:** Dans son rapport, le commissaire souligne le fait qu'en apportant des amendements à la Loi sur les services en français, le premier ministre a fait preuve de leadership politique et a voulu donner un souffle nouveau à la loi. En Ontario, le citoyen a le droit de recevoir un service en français de qualité des institutions gouvernementales. Elles doivent les offrir activement pour susciter la demande de services en français.

En vue d'améliorer les services en français offerts par la province, dans son premier rapport le commissaire a formulé trois principales recommandations. J'aimerais demander à la ministre déléguée aux Affaires francophones comment le gouvernement entend y répondre.

**L'hon. Madeleine Meilleur:** Premièrement, je tiens à préciser que nous allons continuer à travailler en étroite collaboration avec le commissaire et les ministères afin d'explorer plus à fond l'impact des recommandations plus globales visant l'élargissement de la définition de « francophone » en Ontario. Le gouvernement accueille de façon favorable les recommandations du commissaire de moderniser le rôle des coordonnateurs de services en français, qui n'a été revu depuis 1970.

Finalement, j'ai demandé au comité consultatif provincial sur les Affaires francophones de formuler des recommandations sur la meilleure façon de remédier aux lacunes quant à la prestation des services en français par les organismes de paiements de transfert. C'est une très bonne chose, une très bonne recommandation. Je voudrais réitérer l'engagement de l'office des Affaires francophones et du gouvernement à collaborer avec le commissaire pour assurer aux Franco-Ontariens les services en français auxquels ils ont droit.

1130

## FAMILY RESPONSIBILITY OFFICE

**Ms. Sylvia Jones:** My question is for the Minister of Community and Social Services. For the past five years, the Family Responsibility Office has consistently been highlighted—or should I say lowlighted?—by the Ombudsman for their failure to enforce court orders. What are you doing to deal with the huge backlog of cases with arrears at the Family Responsibility Office?

**Hon. Madeleine Meilleur:** I thank the member for this very important question. The Family Responsibility Office is a very important service. We know how import-



ant it is for a family to be able to enjoy a decent standard of living and for our children to get a good start in life.

Our government believes that a child should not suffer because parents refuse to live up to their family responsibilities. That's why we have invested more than \$46 million in the Family Responsibility Office over the past four years to improve the operations, improve customer services and improve enforcement. Some examples of the continuing progress include the introduction of a more personal, client-friendly case management model delivered through a small, dedicated group of people who are responsible for specific case files. In the supplementary, I will continue—

**The Speaker (Hon. Steve Peters):** Thank you, Minister. Supplementary.

**Ms. Sylvia Jones:** My research shows that the backlog of parents with outstanding support payments is in excess of 121,000 people. Clearly, when two thirds of the people are trying to raise their children without money that a court order states they are entitled to, your changes mean nothing. How are you going to address this issue so that parents receive the money they deserve to house, feed and clothe their children?

**Hon. Madeleine Meilleur:** First of all, we have moved forward with introducing more personal and client-friendly cases. We have introduced tough new enforcement tools, and we are moving forward with collecting the arrears.

I'm very surprised to have a question from that party, who, when they were in power, did almost nothing to collect these arrears. Over 80% of the current arrears are over four years old and 42% are over 10 years old. So when your party was in power, your party did nothing to collect the arrears. On this side of the House, we are working towards progress. We are putting tools in place to collect more of these arrears, and we will continue to do so.

## HOSPITAL SERVICES

**Ms. Andrea Horwath:** My question is for the Minister of Health and Long-Term Care. The proposed restructuring of Hamilton Health Sciences is causing no end of concern in Hamilton. Adults could lose their only emergency department in west Hamilton. Objections have been raised repeatedly with the hospital administration to no avail, and concern is rising.

Minister, ultimately, who has stewardship and carriage over hospital services planning in the Hamilton region? Where does this buck stop?

**Hon. George Smitherman:** The honourable member, I think, does a disservice to the debate that has gone on in the Hamilton community with respect to some alteration in their emergency rooms. I think that the debate has been a very honest, open and transparent one. The hospital has put forward a proposal which does the best with the resources that are available to them, including important health human resources. Where the honourable member can talk about some impact for adult emergency

room access in west Hamilton, she doesn't acknowledge that, at that very same site, will emerge in the Hamilton community a specialized pediatric emergency room very similar to the kind of capabilities that people experience with Sick Kids hospital.

I'm very proud of the work that's been done in Hamilton. I realize that change can be wrenching for people. I think they've been exemplary in their transparency around these proposed changes, and I think they've made a very strong clinical case. I'm disappointed that the honourable member hasn't absorbed much of that.

**Ms. Andrea Horwath:** Unfortunately, the debate is actually still ongoing. That's my understanding. The minister has now said that this new model will emerge. My understanding is no final decision has been made. In fact, that's the crux of the problem.

I have a letter dated June 6 from the chair of our LHIN that puts the whole issue back onto the hospital administrators and doesn't acknowledge any role at all, but the debate continues to rage in the community. The community feels like it's being played like a bit of a bolo bat. Yes, it's true. It's difficult, and residents are up in arms. Doctors at the hospital are concerned. They're saying that this restructuring could hurt patient care.

What I want to know is, what is the minister going to do to make this process more transparent and accountable to the citizens of Hamilton? Ultimately, the buck does stop with him, and I just want to make sure he's prepared to handle it.

**Hon. George Smitherman:** I fully support the debate that's going on and I fully support the capacity of the local community, between their hospital and the local health integration network, to land in the right spot.

The Hamilton community, from the standpoint of access to emergency rooms, enjoys very good emergency room access, and even after the changes that are in place, they will enjoy very good emergency room access. I think that Hamilton has a very exciting opportunity to see emerge a pediatric-focused emergency room. While the member can talk about community unrest and people up in arms and outrage, she is, as usual, speaking for a small number of people when, overall, I believe that the work Hamilton Health Sciences has done to outline these circumstances has been met with a very good degree of acceptance in the community because it's based on a very strong foundation, which is clinical service and the safety of patients. I think this is something that's been well handled and can be determined appropriately in the local community.

## POVERTY

**Mr. David Zimmer:** My question is for the Minister of Children and Youth Services. Minister, I recently had the opportunity to co-host a town hall on poverty reduction in Toronto. We heard from community service organizations, people living on low incomes, business persons and religious leaders. A wide range of perspec-



tives and solutions was suggested to this problem. In fact, I sensed a common drive to work together to reduce poverty.

Minister, how will you and the committee on poverty reduction take this advice into account when developing your poverty reduction strategy?

**Hon. Deborah Matthews:** Let me start by thanking the member from Willowdale for his ongoing, thoughtful advocacy for those who are facing challenges and need a better opportunity to be the very best they can be.

I have had the opportunity to meet with people across this province, and it's critical to us that our poverty reduction strategy reflects the voices of people who have participated. That includes the voices of people who have attended the MPP consultations, such as the one that the member opposite heard, in collaboration with the members from Don Valley East and Don Valley West. I was happy to be there and happy to hear the ideas.

I've now held 12 consultations myself, with another one tonight and the 14th one in Kitchener-Waterloo on Thursday. I've met with people on low income. I've met with community advocates, those with agencies, business people—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. David Zimmer:** Yesterday I was very surprised to hear the leader of the Progressive Conservative Party, John Tory, taking up the issue and talking about poverty reduction. I found it surprising that he would admit to the media that his caucus had discussed the possibility of only beginning their own conversation on poverty reduction—

**Mr. Tim Hudak:** On a point of order, Mr. Speaker: I just wondered if this is consistent with the types of questions that are allowed in the Legislature. It has nothing to do with the question itself.

**The Speaker (Hon. Steve Peters):** It's on the same line. I appreciate it. Continue.

**Mr. David Zimmer:** I found it surprising that he would admit to the media that his caucus had finally begun to discuss the possibility of beginning their own conversation on poverty reduction. It seems rather late, considering that we haven't heard anything through all these months, this past year, from Mr. Tory about how to address poverty.

Could the minister please tell me in this House, for the benefit of all parties, how our government came to the decision to go out and engage people on the poverty reduction issue?

**Hon. Deborah Matthews:** I think we would all agree that it's a special day in Ontario when a member of the Conservative Party—not necessarily a member of this Legislature but a member of the Conservative Party—speaks about poverty in this province.

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I am urging all members from all sides of this House to participate in the poverty reduction strategy. I was very happy that the member from York-Simcoe attended

one of the consultations. I urge all of you to do the same. Trust me: You will learn something.

When the Premier appointed the committee on poverty reduction, it was very clear from the beginning that this strategy had to be grounded in the reality of people living in poverty. That is why we have multiple ways to participate, including consultations such as the member had with his constituents; a 1-800-number, 1-866-5953; the website; direct consultation with me; and—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

## PESTICIDES

**Mr. Peter Shurman:** My question is for the Minister of the Environment. As Minister of the Environment, one would think the minister would take an interest in science. Health Canada approved use of 2,4-D-based pesticides if used as directed on the product label. I quote from the Health Canada website: "The PMRA has determined, based on the available scientific information, that 2,4-D is acceptable for use on lawns and turf when label directions are followed."

What information does the Minister of the Environment and the McGuinty nanny-statists possess that was not available to the expert, world-renowned scientists at Health Canada?

**Hon. John Gerretsen:** Let me first of all say that it's our hope in this House that for the benefit of our children, the health of our communities and the people in Ontario, that member from that party and the NDP will join us in voting in favour of Bill 64, because it's all about protecting the health and welfare of children.

Health Canada never says whether or not a particular product or ingredient is safe. All they say is that there's not an unnecessary risk. What we are concerned about and what all of those in the environmental community are concerned about is the cumulative effect of all these various products that have been used on our lawns, our backyards, our front yards and in playgrounds and parks. That's what this is all about.

We look forward to that member's endorsement of our bill, because it is for the health and benefit of all Ontarians that we're doing this.

**Mr. Peter Shurman:** It's all about the children, but so is the Wizard of Oz. Ontarians trust Health Canada with their food, medicine and indeed their health. The minister is saying they are wrong. PR seems to be more important to this government than sound policy. Belief that Bill 64 is based on sound scientific fact is tantamount to believing you can turn lead into gold. I can't tell if it is coming from the Minister of the Environment or the minister of alchemy. Why has the minister of alchemy—sorry, the Minister of the Environment—and the McGuinty nanny-statist government chosen to follow pseudo-science and burden Ontarians with baseless legislation rather than follow the testimony of expert Canadian scientists?



**Hon. John Gerretsen:** This member just doesn't get it. Health Canada looks at it on a product-by-product basis. What we're talking about is the cumulative effect of a number of these different products that are used on our lawns, clear across Ontario. Nobody knows exactly what the long-term health effect of these products together is. That's why we're doing it: to protect the health and welfare particularly of our young children who are likely to play on the various lawns and parks in this province. That's what this is all about. It's based on good science.

Once again, we ask that member to talk to the other members of his party and vote in favour of this bill.

### HERITAGE CONSERVATION

**Ms. Andrea Horwath:** To the Minister of Culture: Knowing full well the Hamilton community's deep interest in heritage preservation, why did the McGuinty government withhold the Ontario Heritage Foundation report on the Lister Block that recommended designating this Hamilton heritage landmark a bona fide historic site?

**Hon. M. Aileen Carroll:** The government and my ministry work very closely with the commissioner. We respect the privacy rules. We have no issues at all. In the past, the Ontario heritage reports have been of a confidential nature. In this case, the decision was rendered by the commissioner to make them open, and I'm perfectly satisfied with that.

**Ms. Andrea Horwath:** The Lister Block is another McGuinty government debacle on the heritage preservation front. Let's not hope it becomes the next building that ends up in demolition by neglect.

The minister ignored the report that she refers to. It was commissioned, but no actions were taken. The Lister Block is still not designated. It's not a heritage site under this government's watch. That was recommended in that very report a couple of years ago.

What active steps will this minister actually take now to preserve the Lister Block, as recommended by Lincoln Alexander, and ensure that the Lister Block is spared from demolition?

**Hon. M. Aileen Carroll:** The Lister Block has been designated municipally. We have encouraged the owners of the Lister Block to work well with the municipality. The provincial government has provided \$7 million to the municipality. There's an excellent accommodation. All of this has been moved through the process with the OMB.

This is a very successful outcome. I see no need for me to intervene in what is, as I say, a very successful outcome for the city of Hamilton.

### SMALL BUSINESS

**Mr. Wayne Arthurs:** My question is for the Minister of Labour.

Minister, in my riding of Pickering-Scarborough East I have an extensive range of small businesses and entrepreneurs who own and operate their businesses there and also throughout Ontario. They've faced some very unique challenges, not the least of which, Minister, is the need to comply with a variety of government regulations.

I understand, Minister, that you and your ministry are undertaking some particular initiatives that seek to make it easier for businesses in my community to comply with these regulations. Could you provide us with some details on this and tell us how it's going to be of benefit to business owners throughout the province of Ontario?

**Hon. Brad Duguid:** I'd like to thank the member for Pickering-Scarborough East for that question and also for his work with small business in the Pickering area and right across the province.

One of the things that really pleases me with my ministry is the fact that we are communicating a lot more than used to be done in the past with small business, to ensure that the work that we're doing in assisting small businesses to comply with our regulations is being done in a way that small businesses can handle.

One of the most notable successes we've had is the creation of a one-stop-shop system that we call compliance information centres. We've targeted two key industries: the autobody sector and the plastics products manufacturing sector. These sectors can now go online and find out every regulation that would apply to them within the government. It really is of help—

**The Speaker (Hon. Steve Peters):** Supplementary.

**Mr. Wayne Arthurs:** I want to thank the minister for that information. It's great news for businesses in the province of Ontario, particularly those in my riding. Measures that will assist small businesses to operate more efficiently and more effectively help support that very positive business attitude which we all enjoy.

Would the minister take the opportunity to tell us a little more about how these initiatives will improve the relationship between government and business when it comes to these compliance matters?

**Hon. Brad Duguid:** An act was passed in the Legislature toward the end of the term called the Regulatory Modernization Act. It didn't get a lot of public attention, as members who were involved in that act know, but it does have a huge impact on our ability as a government to break down the barriers between the compliance ministries across the government and provide a more harmonized and better level of service to our business community. So I think that's helped a great deal in our ability as a government to respond to those concerns.

There are a number of other initiatives that have taken place throughout the government.

I want to commend our Minister of Revenue, who made a very impressive speech just this week. She's worked very hard to reduce the tax burden, the compliance burden for taxes on—

**The Speaker (Hon. Steve Peters):** Thank you. The time for question period has ended.

## PETITIONS

## HOSPITAL SERVICES

**Ms. Laurie Scott:** I'm reading this petition on behalf of my colleague the MPP from Simcoe North: protecting our hospital services and democratic governance.

"To the Legislative Assembly of Ontario:

"Whereas the government-appointed supervisor of the Huronia District Hospital (HDH) has recommended a merger of HDH with the Penetanguishene General Hospital (PGH);

"Whereas the supervisor recommended changes to the governance of the hospital to eliminate community memberships and the democratic selection and governance of the hospital board and directors based on an ideology and not on the wishes of the community;

"Whereas the supervisor has also recommended the splitting up and divestment of the mental health centre in Penetanguishene, creating uncertainty in the future of mental health beds and services; and

"Whereas hospital mergers and restructuring under the local health integration network can result in a loss in the total number of hospital beds and services provided to a community,

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We call on the government of Ontario to

"Protect the current level of beds and services at all sites in Midland and Penetanguishene; and

"Protect the community memberships and the democratic governance of the new hospital created by the merger of HDH and PGH."

This is signed by many people from the member from Simcoe North's riding.

1150

ONTARIO SOCIETY  
FOR THE PREVENTION  
OF CRUELTY TO ANIMALS

**Mr. Monte Kwinter:** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Ontario Society for the Prevention of Cruelty to Animals Act has not been updated since 1919;

"Whereas Bill 50 would require all veterinarians to report suspected abuse and neglect, protecting veterinarians from liability;

"Whereas it would allow the OSPCA to inspect and investigate places where animals are kept;

"Whereas the bill would prohibit the training of animals to fight;

"Whereas Bill 50 would allow the OSPCA to inspect roadside zoos;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 50, entitled the Provincial Animal Welfare Act, 2008, to protect our animal friends."

I've affixed my signature to it.

## WATER QUALITY

**Mr. Ted Arnott:** I have a petition to the Legislative Assembly of Ontario, and it reads as follows:

"Whereas the provincial government does not, at this time, have a funding program that provides financial assistance to owners and occupants of mobile home parks to assist them in complying with the Safe Drinking Water Act, 2002; and

"Whereas Mini Lakes Park is a year-round, resident-owned-and-operated non-profit residential community that has fully complied with the Safe Drinking Water Act, 2002, at great expense to each individual resident;

"We, the undersigned, petition the Legislative Assembly of Ontario to retroactively amend the Safe Drinking Water Act, 2002, to include financial assistance to year-round, resident-owned-and-operated non-profit communities."

I will give it to Natalie, and I've affixed my signature at the top.

ONTARIO SOCIETY  
FOR THE PREVENTION  
OF CRUELTY TO ANIMALS

**Mr. Reza Moridi:** "To the Legislative Assembly of Ontario:

"Whereas the Ontario Society for the Prevention of Cruelty to Animals Act has not been updated since 1919;

"Whereas Bill 50 would require all veterinarians to report suspected abuse and neglect, protecting veterinarians from liability;

"Whereas it would allow the OSPCA to inspect and investigate places where animals are kept;

"Whereas the bill would prohibit the training of animals to fight;

"Whereas Bill 50 would allow the OSPCA to inspect roadside zoos;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 50, entitled the Provincial Animal Welfare Act, 2008, to protect our animal friends."

I sign it and pass it on to page Christopher.

## HOSPITAL FUNDING

**Mr. Charles Sousa:** I have a petition, compliments of Dr. Richard O'Connor. It reads as follows:

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures



that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I assign my signature and provide it to page Chris.

### HOSPITAL FUNDING

**Mr. Bob Delaney:** To my colleague from Halton: Of course he can sign it; he can even read it. It's a petition to the Ontario Legislative Assembly. It reads as follows:

"Whereas wait times for access to surgical procedures in the western GTA area served by the Mississauga Halton LHIN are growing despite the vigorous capital project activity at the hospitals within the Mississauga Halton LHIN boundaries; and

"Whereas 'day surgery' procedures could be performed in an off-site facility, thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I too am pleased to sign and support this petition and to ask page Megan to carry it.

### WORKPLACE HARASSMENT

**Ms. Andrea Horwath:** This petition is to the Legislative Assembly of Ontario.

"Whereas workplace harassment (physical/psychological) and violence are linked to the mental and physical ill-health and safety of workers in Ontario; and

"Whereas harassment and violence need to be defined as violations of the Occupational Health and Safety Act so that it is dealt with as quickly and earnestly by employers as other health and safety issues; and

"Whereas employers will have a legal avenue and/or a legal obligation to deal with workplace harassment and violence in all its forms, including psychological harassment; and

"Whereas harassment poisons the workplace, taking many forms—verbal/physical abuse, sabotage, intimid-

ation, bullying, sexism and racism, and should not be tolerated; and

"Whereas harassment in any form harms a targets physical and mental health, esteem and productivity, and contributes to trauma and stress on the job; and

"Whereas Bill 29 would make it the law to protect workers from workplace harassment by giving workers the right to refuse work after harassment has occurred, requiring the investigation of allegations of workplace-related harassment and oblige employers to take steps to prevent further occurrences of workplace-related harassment;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to treat workplace harassment and violence as a serious health and safety issue by passing MPP Andrea Horwath's Bill 29, which would bring workplace harassment and violence under the scope of the Occupational Health and Safety Act."

I agree with it. I have signed it and will send it to the table by page Murray. I thank Joe Pincivero from Alliston for giving it to us.

### HOSPITAL FUNDING

**Mr. Joe Dickson:** "To the Legislative Assembly of Ontario:

"Whereas the Central East Local Health Integration Network board of directors has approved the Rouge Valley Health System's deficit elimination plan, subject to public meetings; and

"Whereas it is important to ensure that the new birthing unit at Centenary hospital, a \$20-million expansion that will see 16 new labour, delivery, recovery and postpartum (LDRP) birthing rooms and an additional 21 postpartum rooms added by October 2008, will not cause any decline in the pediatric and maternity services currently provided at the Ajax-Pickering hospital; and

"Whereas, with the significant expansion of the Ajax-Pickering hospital, the largest in its 53-year history, a project that could reach \$100 million, of which 90% is funded by the Ontario government, it is important to continue to have a complete maternity unit at the Ajax hospital; and

"Whereas it is also imperative for the Rouge Valley Health System to balance its budget, eliminate its deficit and debt and realize the benefits of additional Ontario government funding; and

"Whereas the parents of Ajax and Pickering deserve the right to have their children born in their own community, where they have chosen to live and work;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Rouge Valley Health System continue to provide the current level of service; and

"That our Ajax-Pickering hospital now serves the fastest-growing communities of west Durham; and

"That the Ajax-Pickering hospital retain its full maternity unit."

I shall affix my signature to this and pass this to page Dina.

### LABORATORY SERVICES

**Mr. Norm Miller:** I have a petition to do with lab services in Muskoka-East Parry Sound.

"To the Legislative Assembly of Ontario:

"Whereas the residents of the communities served by Muskoka Algonquin Healthcare (MAHC) wish to maintain current community lab services; and

"Whereas maintaining community lab services promotes physician retention and benefits family health teams; and

"Whereas the funding for community lab services is currently a strain on the operating budget of MAHC; and

"Whereas demand for health services is expected to continue to rise with a growing retirement population in Muskoka-East Parry Sound; and

"Whereas the operating budget for MAHC needs to reflect the growing demand for service in the communities of Muskoka-East Parry Sound;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the McGuinty government and the Minister of Health increase the operating budget of Muskoka Algonquin Healthcare to permit continued operation of community lab services."

I support this petition.

1200

### ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

**Mr. Mike Colle:** I have a petition here to the Legislative Assembly of Ontario:

"Whereas the Ontario Society for the Prevention of Cruelty to Animals Act has not been updated since 1919;

"Whereas Bill 50 would require all veterinarians to report suspected abuse and neglect, protecting veterinarians from liability;

"Whereas it would allow the OSPCA to inspect and investigate places where animals are kept;

"Whereas the bill would prohibit the training of animals to fight;

"Whereas Bill 50 would allow the OSPCA to inspect roadside zoos;

"We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 50, entitled the Provincial Animal Welfare Act, 2008, to protect our animal friends."

I, along with thousands of people across Ontario, support this petition and affix my name to it.

### HOSPITAL FUNDING

**Mr. Ted Chudleigh:** I'm pleased to read a petition:

"Whereas wait times for access to surgical procedures in the western GTA area," which includes Halton, "served by the Mississauga Halton LHIN are growing; and

"Whereas 'day surgery' procedures could be performed in an off-site facility"—sounds like private health care to me—"thus greatly increasing the ability of surgeons to perform more procedures, alleviating wait times for patients, and freeing up operating theatre space in hospitals for more complex procedures that may require post-operative intensive care unit support and a longer length of stay in hospital;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ministry of Health and Long-Term Care allocate funds in its 2008-09 capital budget to begin planning and construction of an ambulatory surgery centre located in western Mississauga," or eastern Halton, "to serve the Mississauga-Halton area and enable greater access to 'day surgery' procedures that comprise about four fifths of all surgical procedures performed."

I pass the petition to Christopher G.

### IDENTITY THEFT

**Mr. Tony Ruprecht:** The petition I have in front of me goes to the Parliament of Ontario and the Minister of Government Services, and it reads as follows:

"Whereas identity theft is the fastest-growing crime in North America;

"Whereas confidential and private information is being stolen on a regular basis, affecting literally thousands of people;

"Whereas the cost of this crime exceeds billions of dollars;

"Whereas countless hours are wasted to restore one's good credit rating;

"Therefore we, the undersigned, demand that Bill 75, which passed the second reading unanimously in the Ontario Legislature ... be brought before committee and that the following issues be included for consideration and debate:

"(1) All consumer reports should be provided in a truncated (masked-out) form, protecting our vital private information such as SIN and loan account numbers.

"(2) Should a consumer reporting agency discover that there has been an unlawful disclosure of consumer information, the agency should immediately inform the affected consumer.

"(3) The consumer reporting agency shall only report credit inquiry records resulting from actual applications for credit or increase of credit, except in a report given to the consumer.

"(4) The consumer reporting agency shall investigate disputed information within 30 days and correct, supplement or automatically delete any information found unconfirmed, incomplete or inaccurate."

Since I agree with this petition 100%, I'm certainly delighted to put my name to it, and I know that most members will agree with it as well.



**The Speaker (Hon. Steve Peters):** The time for petitions has ended. When the Standing Committee on the Legislative Assembly meets this summer, they may want to look at the issue of the length of petitions.

In accordance with the agreement made earlier today, the House will now revert to orders of the day.

Caplan, David  
Carroll, Aileen  
Chan, Michael  
Colle, Mike  
Delaney, Bob  
Dhillon, Vic  
Dickson, Joe  
Dombrowsky, Leona  
Duguid, Brad

Lalonde, Jean-Marc  
Mangat, Amrit  
Matthews, Deborah  
Mauro, Bill  
McMeekin, Ted  
McNeely, Phil  
Meilleur, Madeleine  
Milloy, John  
Mitchell, Carol

Sergio, Mario  
Smith, Monique  
Smitherman, George  
Sousa, Charles  
Van Bommel, Maria  
Watson, Jim  
Wynne, Kathleen O.  
Zimmer, David

## ORDERS OF THE DAY

### COSMETIC PESTICIDES BAN ACT, 2008

#### LOI DE 2008 SUR L'INTERDICTION DES PESTICIDES UTILISÉS À DES FINS ESTHÉTIQUES

Deferred vote on the motion for third reading of Bill 64, An Act to amend the Pesticides Act to prohibit the use and sale of pesticides that may be used for cosmetic purposes / Projet de loi 64, Loi modifiant la Loi sur les pesticides en vue d'interdire l'usage et la vente de pesticides pouvant être utilisés à des fins esthétiques.

**The Speaker (Hon. Steve Peters):** The matter before the House is Bill 64. The debate having concluded, I will now put the question. Mr. Gerretsen has moved third reading of Bill 64. Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

*The division bells rang from 1205 to 1235.*

**The Speaker (Hon. Steve Peters):** All those in favour will rise one at a time and be recorded by the Clerk.

#### Ayes

Aggelonitis, Sophia  
Albanese, Laura  
Arthurs, Wayne  
Bartolucci, Rick  
Best, Margaret  
Bradley, James J.  
Brotan, Laurel C.  
Brown, Michael A.  
Bryant, Michael  
Cansfield, Donna H.

Elliott, Christine  
Flynn, Kevin Daniel  
Fonseca, Peter  
Gerretsen, John  
Gravelle, Michael  
Hoy, Pat  
Jaczek, Helena  
Jeffrey, Linda  
Kular, Kuldip  
Kwinter, Monte

Moridi, Reza  
Naqvi, Yasir  
Oraziotti, David  
Ouellette, Jerry J.  
Pendergast, Leeanna  
Phillips, Gerry  
Qaadri, Shafiq  
Ramal, Khalil  
Ruprecht, Tony  
Savoline, Joyce

**The Speaker (Hon. Steve Peters):** All those opposed will rise and be recorded by the Clerk.

#### Nays

Arnott, Ted  
Bailey, Robert  
Bisson, Gilles  
Chudleigh, Ted  
Horwath, Andrea  
Hudak, Tim

Klees, Frank  
Kormos, Peter  
Marchese, Rosario  
Miller, Norm  
Miller, Paul  
O'Toole, John

Runciman, Robert W.  
Scott, Laurie  
Shurman, Peter  
Tabuns, Peter  
Yakubski, John

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 56; the nays are 17.

*Interjections.*

**The Speaker (Hon. Steve Peters):** Order. I'm willing to stay here for many more days.

I declare the motion carried.

*Third reading agreed to.*

**The Speaker (Hon. Steve Peters):** Be it resolved that the bill do now pass and be entitled as in the motion.

## VISITOR

**The Speaker (Hon. Steve Peters):** I'd like to take this opportunity to welcome, on behalf of all members, Lyn McLeod, the former member from Thunder Bay-Atikokan and Fort William in the 34th, 35th, 36th and 37th Parliament.

I want to take this opportunity to wish all members a safe summer and to thank all of our table staff, all the staff within the building and Hansard. I wish everyone a safe summer and safe journeys home.

This House stands adjourned until September 22, 2008.

*The House adjourned at 1240.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
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Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Aggelonitis, Sophia (L)	Hamilton Mountain	
Albanese, Laura (L)	York South–Weston / York-Sud–Weston	
<b>Arnott, Ted (PC)</b>	Wellington–Halton Hills	First Deputy Chair of the committee of the whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Arthurs, Wayne (L)	Pickering–Scarborough East / Pickering–Scarborough-Est	
Bailey, Robert (PC)	Sarnia–Lambton	
Balkissoon, Bas (L)	Scarborough–Rouge River	
Barrett, Toby (PC)	Haldimand–Norfolk	
<b>Bartolucci, Hon. / L'hon. Rick (L)</b>	Sudbury	Minister of Community Safety and Correctional Services / ministre de la Sécurité communautaire et des Services correctionnels Attorney General / procureur général
<b>Bentley, Hon. / L'hon. Christopher (L)</b>	London West / London-Ouest	
Berardinetti, Lorenzo (L)	Scarborough Southwest / Scarborough-Sud-Ouest	
<b>Best, Hon. / L'hon. Margaret R. (L)</b>	Scarborough–Guildwood	Minister of Health Promotion / ministre de la Promotion de la santé
Bisson, Gilles (ND)	Timmins–James Bay / Timmins–Baie James	
<b>Bradley, Hon. / L'hon. James J. (L)</b>	St. Catharines	Minister of Transportation / ministre des Transports
Broten, Laurel C. (L)	Etobicoke–Lakeshore	
Brown, Michael A. (L)	Algoma–Manitoulin	
Brownell, Jim (L)	Stormont–Dundas–South Glengarry	
<b>Bryant, Hon. / L'hon. Michael (L)</b>	St. Paul's	Minister of Aboriginal Affairs, government House leader / ministre des Affaires autochtones, leader parlementaire du gouvernement Minister of Natural Resources / ministre des Richesses naturelles
<b>Cansfield, Hon. / L'hon. Donna H. (L)</b>	Etobicoke Centre / Etobicoke-Centre	
<b>Caplan, Hon. / L'hon. David (L)</b>	Don Valley East / Don Valley-Est	Minister of Public Infrastructure Renewal / ministre du Renouvellement de l'infrastructure publique
<b>Carroll, Hon. / L'hon. M. Aileen (L)</b>	Barrie	Minister of Culture, minister responsible for seniors / ministre de la Culture, ministre déléguée aux Affaires des personnes âgées
<b>Chan, Hon. / L'hon. Michael (L)</b>	Markham–Unionville	Minister of Citizenship and Immigration / ministre des Affaires civiques et de l'Immigration
Chudleigh, Ted (PC)	Halton	
Colle, Mike (L)	Eglinton–Lawrence	
Craitor, Kim (L)	Niagara Falls	
<b>Crozier, Bruce (L)</b>	Essex	Deputy Speaker, Chair of the committee of the whole House / Vice- Président, Président du Comité plénier de l'Assemblée législative
Delaney, Bob (L)	Mississauga–Streetsville	
Dhillon, Vic (L)	Brampton West / Brampton-Ouest	
Dickson, Joe (L)	Ajax–Pickering	
DiNovo, Cheri (ND)	Parkdale–High Park	
<b>Dombrowsky, Hon. / L'hon. Leona (L)</b>	Prince Edward–Hastings	Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
<b>Duguid, Hon. / L'hon. Brad (L)</b>	Scarborough Centre / Scarborough-Centre	Minister of Labour / ministre du Travail
<b>Duncan, Hon. / L'hon. Dwight (L)</b>	Windsor–Tecumseh	Minister of Finance, Chair of the Management Board of Cabinet / ministre des Finances, président du Conseil de gestion du gouvernement
Dunlop, Garfield (PC)	Simcoe North / Simcoe-Nord	
Elliott, Christine (PC)	Whitby–Oshawa	



Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Flynn, Kevin Daniel (L)	Oakville	
<b>Fonseca, Hon. / L'hon. Peter (L)</b>	Mississauga East–Cooksville / Mississauga-Est–Cooksville	Minister of Tourism / ministre du Tourisme
Gélinas, France (ND)	Nickel Belt	
<b>Gerretsen, Hon. / L'hon. John (L)</b>	Kingston and the Islands / Kingston et les Îles	Minister of the Environment / ministre de l'Environnement
<b>Gravelle, Hon. / L'hon. Michael (L)</b>	Thunder Bay–Superior North / Thunder Bay–Superior-Nord	Minister of Northern Development and Mines / ministre du Développement du Nord et des Mines
Hampton, Howard (ND)	Kenora–Rainy River	Leader of the New Democratic Party / chef du Nouveau Parti démocratique
Hardeman, Ernie (PC)	Oxford	
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
<b>Horwath, Andrea (ND)</b>	Hamilton Centre / Hamilton-Centre	Third Deputy Chair of the committee of the whole House / Troisième Vice-Présidente du Comité plénier de l'Assemblée législative
Hoy, Pat (L)	Chatham–Kent–Essex	
Hudak, Tim (PC)	Niagara West–Glanbrook / Niagara-Ouest–Glanbrook	
Jaczek, Helena (L)	Oak Ridges–Markham	
Jeffrey, Linda (L)	Brampton–Springdale	
Jones, Sylvia (PC)	Dufferin–Caledon	
Klees, Frank (PC)	Newmarket–Aurora	
Kormos, Peter (ND)	Welland	New Democratic Party House leader / leader parlementaire du Nouveau Parti démocratique
Kular, Kuldip (L)	Bramalea–Gore–Malton	
Kwinter, Monte (L)	York Centre / York-Centre	
Lalonde, Jean-Marc (L)	Glengarry–Prescott–Russell	
Leal, Jeff (L)	Peterborough	
Levac, Dave (L)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (L)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (ND)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
<b>Matthews, Hon. / L'hon. Deborah (L)</b>	London North Centre / London-Centre-Nord	Minister of Children and Youth Services, minister responsible for women's issues / ministre des Services à l'enfance et à la jeunesse, ministre déléguée à la Condition féminine
Mauro, Bill (L)	Thunder Bay–Atikokan	
<b>McGuinty, Hon. / L'hon. Dalton (L)</b>	Ottawa South / Ottawa-Sud	Premier and President of the Council, Minister of Intergovernmental Affairs / premier ministre et président du Conseil, ministre des Affaires intergouvernementales
<b>McMeekin, Hon. / L'hon. Ted (L)</b>	Ancaster–Dundas– Flamborough–Westdale	Minister of Government and Consumer Services / ministre des Services gouvernementaux et des Services aux consommateurs
McNeely, Phil (L)	Ottawa–Orléans	
<b>Meilleur, Hon. / L'hon. Madeleine (L)</b>	Ottawa–Vanier	Minister of Community and Social Services, minister responsible for francophone affairs / ministre des Services sociaux et communautaires, ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (ND)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
<b>Milloy, Hon. / L'hon. John (L)</b>	Kitchener Centre / Kitchener-Centre	Minister of Training, Colleges and Universities / ministre de la Formation et des Collèges et Universités
Mitchell, Carol (L)	Huron–Bruce	
Moridi, Reza (L)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	
Murdoch, Bill (PC)	Bruce–Grey–Owen Sound	
Naqvi, Yasir (L)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	
Oraziotti, David (L)	Sault Ste. Marie	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
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Pendergast, Leeanna (L)	Kitchener—Conestoga	
<b>Peters, Hon. / L'hon. Steve (L)</b>	Elgin—Middlesex—London	Speaker / Président
<b>Phillips, Hon. / L'hon. Gerry (L)</b>	Scarborough—Agincourt	Minister of Energy / ministre de l'Énergie
Prue, Michael (ND)	Beaches—East York	
<b>Pupatello, Hon. / L'hon. Sandra (L)</b>	Windsor West / Windsor-Ouest	Minister of Economic Development and Trade / ministre du Développement économique et du Commerce
Qaadri, Shafiq (L)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (L)	London—Fanshawe	
Ramsay, David (L)	Timiskaming—Cochrane	
Rinaldi, Lou (L)	Northumberland—Quinte West	
Runciman, Robert W. (PC)	Leeds—Grenville	Leader of the Official Opposition / Chef de l'opposition officielle
Ruprecht, Tony (L)	Davenport	
Sandals, Liz (L)	Guelph	
Savoline, Joyce (PC)	Burlington	
Scott, Laurie (PC)	Haliburton—Kawartha Lakes—Brock	
Sergio, Mario (L)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
<b>Smith, Hon. / L'hon. Monique M. (L)</b>	Nipissing	Minister of Revenue / ministre du Revenu
<b>Smitherman, Hon. / L'hon. George (L)</b>	Toronto Centre / Toronto-Centre	Deputy Premier, Minister of Health and Long-Term Care / vice-premier ministre, ministre de la Santé et des Soins de longue durée
Sorbara, Greg (L)	Vaughan	
Sousa, Charles (L)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton—Mississippi Mills	
Tabuns, Peter (ND)	Toronto—Danforth	
<b>Takhar, Hon. / L'hon. Harinder S. (L)</b>	Mississauga—Erindale	Minister of Small Business and Entrepreneurship / ministre des Petites Entreprises et de l'Entrepreneuriat
Van Bommel, Maria (L)	Lambton—Kent—Middlesex	
<b>Watson, Hon. / L'hon. Jim (L)</b>	Ottawa West—Nepean / Ottawa-Ouest—Nepean	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
<b>Wilkinson, Hon. / L'hon. John (L)</b>	Perth—Wellington	Minister of Research and Innovation / ministre de la Recherche et de l'Innovation
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Zimmer, David (L)	Willowdale	



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Clerk / Greffier: Katch Koch

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Règlements et projets de loi d'intérêt privé**

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Vice-Chair / Vice-Président: Paul Miller  
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Gerry Martiniuk, Paul Miller, Bill Murdoch,  
Michael Prue, Tony Ruprecht, Mario Sergio  
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Laurel C. Broten, Vic Dhillon, Cheri DiNovo,  
Helena Jaczek, Dave Levac, Shafiq Qaadri,  
Khalil Ramal, Laurie Scott, Peter Shurman  
Clerk / Greffier: Katch Koch

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